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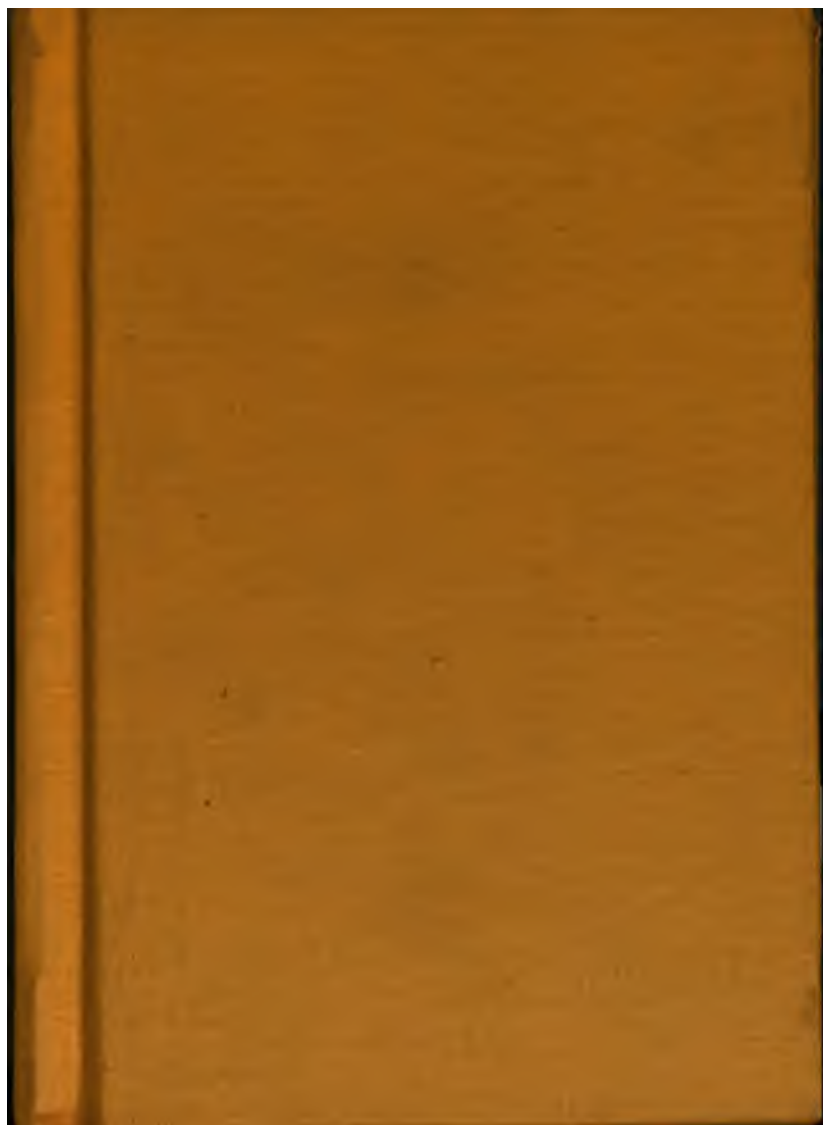
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PAROLEMEN AND CRIME

THE REGULAR COMMUNITY

PART I

CRIME AND CRIMINALS

THE ATTORNEY GENERAL

The Times

1911. 10. 10.

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FROM

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10 Nov. 1900.

6 *Est. Brit. - Parnell commission*
PARNELLISM AND CRIME.

THE SPECIAL COMMISSION.

PART ^{PT.} I.

**OPENING SPEECH
OF
THE ATTORNEY-GENERAL.**

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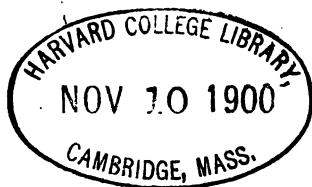
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1892.

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Rec. Oct. 27, 1892

THE SPECIAL COMMISSION.

ROYAL COURTS OF JUSTICE.

MONDAY, OCTOBER 22.

(*Before the Right Honourable SIR J. HANNEN, MR. JUSTICE DAY, and MR. JUSTICE A. L. SMITH, Commissioners.*)

The first sitting (except for preliminary applications) of the Special Commission appointed by the Special Commission Act, 1888 (51 and 52 Vict., cap. 35), was held to-day in No. 1 Probate Court of the Royal Courts of Justice.

The Special Commission Act, which was passed during the first part of the present Session, is as follows :—

An Act to constitute a Special Commission to inquire into the charges and allegations made against certain members of Parliament and other persons by the defendants in the recent trial of an action entitled “O'Donnell v. Walter and another.” (13th August, 1888.)

Whereas charges and allegations have been made against certain members of Parliament and other persons by the defendants in the course of the proceedings in an action entitled “O'Donnell versus Walter and another,” and it is expedient that a Special Commission should be appointed to inquire into the truth of those charges and allegations, and should have such powers as may be necessary for the effectual conducting of the inquiry :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent

of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1) The three persons hereinafter mentioned—namely, the Right Honourable Sir James Hannen, the Honourable Sir John Charles Day, and the Honourable Sir Archibald Levin Smith, are hereby appointed Commissioners for the purposes of this Act, and are in this Act referred to as the Commissioners.

(2) The Commissioners shall inquire into and report upon the charges and allegations made against certain members of Parliament and other persons in the course of the proceedings in an action entitled “O'Donnell versus Walter and another.”

2.—(1) The Commissioners shall, for the purposes of the inquiry under this Act, have, in addition to the special powers hereinafter provided, all such powers, rights, and privileges as are vested in Her Majesty's High Court of Justice, or in any Judge thereof, on the occasion of any action, including all powers, rights, and privileges in respect of the following matters :—

(i.) the enforcing the attendance of witnesses and examining them on oath, affirmation, or promise and declaration ; and

(ii.) the compelling the production of documents ; and

(iii.) the punishing persons guilty of contempt ; and

(iv.) the issue of a commission or request to examine witnesses abroad ;

and a summons signed by one or more of the Commissioners may be substituted for, and shall be equivalent to, any form of process capable of being issued in any action for enforcing the attendance of witnesses or compelling the production of documents.

(2) A warrant of committal to prison issued for the purpose of enforcing the powers conferred by this section shall be signed by one or more of the Commissioners, and shall specify the prison to which the offender is to be committed.

(3) The Commissioners may, if they think fit, order that any document or documents in the possession of any party appearing at the inquiry shall be produced for the inspection of any other such party.

3. If any person, having been served with a summons under this Act, shall fail to appear according to the tenour of such summons, the Commissioners shall have power to issue a warrant for the arrest of such person.

4. Any person summoned to attend before the said Commissioners who shall refuse, neglect, or fail to attend in pursuance of any summons, shall, notwithstanding the dissolution of the Commission, be liable to punishment for contempt of the High Court of Justice, on the motion of any person who has appeared at the inquiry before such Commissioners.

5. A warrant or order for the arrest, detention, or imprisonment of a person for contempt of the Commissioners shall, notwithstanding the Special Commission is dissolved or otherwise determined, be and remain as valid and effectual in all respects as if the Special Commission were not so dissolved or otherwise determined, and upon such dissolution or determination all the powers, rights, and privileges of the Commissioners with respect to such warrant or order, and to a person arrested, detained, or imprisoned, or to be arrested, detained, or imprisoned by virtue thereof, shall devolve upon and be exercised by the Queen's Bench Division of the High Court of Justice or a Judge thereof; and such contempt, and a proceeding with respect thereto, shall not be in anywise affected by such dissolution or determination of the Special Commission.

6. The persons implicated in the said charges and allegations, the parties to the said action, and any person authorized by the Commissioners may appear at the inquiry, and any person so appearing may be represented by counsel or solicitor practising in Great Britain or Ireland. Where it shall appear to the Commissioners that any person affected by any of the said charges or allegations is at any time during the holding of the said inquiry detained or imprisoned, the Commissioners may order the attendance of such person at such inquiry in such manner, for such time, and subject to such conditions as regards bail, or otherwise, as to the Commissioners may seem fit.

7. The Commissioners shall have power, if they think fit, to make reports from time to time.

8. Every person who, on examination on oath, affirmation, or promise and declaration under this Act,

willfully gives false evidence, shall be liable to the penalties for perjury.

9. Any person examined as a witness under this Act before the Commissioners, or under a commission to examine witnesses abroad, may be cross-examined on behalf of any other person appearing before the Commissioners. A witness examined under this Act shall not be excused from answering any question put to him on the ground of any privilege, or on the ground that the answer thereto may criminate or tend to criminate himself; provided that no evidence taken under this Act shall be admissible against any person in any civil or criminal proceeding except in the case of a witness accused of having given false evidence in an inquiry under this Act, or of a person accused of having procured, or attempted or conspired to procure, the giving of such evidence.

10.—(1) Every person examined as a witness under this Act who, in the opinion of the Commissioners, makes a full and true disclosure touching all the matters in respect of which he is examined, shall be entitled to receive a certificate signed by the Commissioners stating that the witness has, on his examination, made a full and true disclosure as aforesaid.

(2) If any civil or criminal proceeding is at any time thereafter instituted against any such witness in respect of any matter touching which he has been so examined, the Court having cognizance of the case shall, on proof of the certificate, stay the proceeding, and may in its discretion award to the witness such costs as he may be put to in or by reason of the proceeding; provided that nothing in this section shall be deemed to apply in the case of proceedings for having given false evidence at an inquiry held under this Act, or of having procured, or attempted or conspired to procure, the giving of such evidence.

11. This Act may be cited as the Special Commission Act, 1888.

The following are the particulars of the charges or allegations made by the defendants in the action of "O'Donnell v. Walter," delivered pursuant to the order of the Special Commission, dated the 17th day of September, 1888

. The names of the members of Parliament against

whom the charges and allegations are made are set out in the schedule hereto.

The members of Parliament mentioned in the schedule were members of the conspiracy and organization hereinafter described, and took part in the work and operations thereof with knowledge of its character, objects, and mode of action.

From and including the year 1879 there have existed societies known as the Irish Land League, the Irish National Land League and Labour and Industrial Union, the Ladies' Land League, the Ladies' Irish Land League and Labour and Industrial Union, the National League and the affiliated societies in Great Britain and America, all forming one connected and continuous organization.

The ultimate object of the organization was to establish the absolute independence of Ireland as a separate nation. With a view to effect this one of the immediate objects of the said conspiracy or organization was to promote an agrarian agitation against the payment of agricultural rents, thereby securing the co-operation of the tenant farmers of Ireland, and at the same time the impoverishment and ultimate expulsion from the country of the Irish landlords, who were styled "the English garrison."

The mode of action was to organize a system of coercion and intimidation in Ireland, which was sustained and enforced by boycotting and the commission of crimes and outrages.

The organization was actively engaged in the following matters :—

1. The promotion of and inciting to the commission of crimes, outrages, boycotting, and intimidation.
2. The collection and providing of funds to be used, or which it was known were used for the promotion of and the payment of persons engaged in the commission of crimes, outrages, boycotting, and intimidation.
3. The payment of persons who assisted in, were affected by or accidentally, or otherwise injured in the commission of such crimes, outrages, and acts of boycotting and intimidation.
4. Holding meetings and procuring to be made, speeches, inciting to the commission of crimes, outrages, boycotting, and intimidation. Some of the meetings referred to, which were attended by members

of Parliament, with the approximate dates and place of meeting, are given in the schedule hereto.

5. The publication and dissemination of newspaper and other literature inciting to and approving of sedition and the commission of crimes, outrages, boycotting, and intimidation, particularly the *Irish World*, the *Chicago Citizen*, the *Boston Pilot*, the *Freeman's Journal*, *United Ireland*, the *Irishman*, the *Nation*, the *Weekly News*, *Cork Daily Herald*, the *Kerry Sentinel*, the *Evening Telegraph*, the *Sligo Champion*.

6. Advocating resistance to law and the constituted authorities, and impeding the detection and punishment of crime.

7. Making payments to or for persons who were guilty, or supposed to be guilty, of the commission of crimes, outrages, and acts of boycotting and intimidation for their defence, or to enable them to escape from justice, and for the maintenance of such persons and their families.

8. It is charged and alleged that the members of Parliament mentioned in the schedule approved, and by their acts and conduct lead people to believe that they approved of resistance to the law and the commission of crimes, outrages, and acts of boycotting and intimidation when committed in furtherance of the objects and resolutions of the said societies, and that persons who engaged in the commission of such crimes, outrages, and acts would receive the support and protection of the said societies and of their organization and influence.

The acts and conduct specially referred to are as follows :—

9. They attended meetings of the said societies and other meetings at various places and made speeches, and caused and procured speeches to be made, inciting to the commission of crimes, outrages, boycotting, and intimidation.

10. They were parties to, and cognizant of, the payment of moneys for the purposes above mentioned, and as testimonials or rewards to persons who had been convicted, or were notoriously guilty of crimes or outrages, or to their families.

11. With knowledge that crimes, outrages, and acts of boycotting and intimidation had followed the delivery of speeches at the meetings, they expressed no *bonâ fide* disapproval or public condemnation, but, on the

contrary, continued to be leading and active members of the said societies and to subscribe to their funds.

12. With such knowledge as aforesaid they continued to be intimately associated with the officers of the same societies (many of whom fled from justice), and with notorious criminals and the agents and instruments of murder and conspiracies, and with the planners and paymasters of outrage, and with the advocates of sedition, violence, and the use of dynamite.

13. They and the said societies, with such knowledge as aforesaid, received large sums of money which were collected in America and elsewhere by criminals and persons who were known to advocate sedition, assassination, the use of dynamite, and the commission of crimes and outrages.

14. When on certain occasions they considered it politic to denounce, and did denounce, certain crimes in public they afterwards made communications to their associates and others with the intention of leading them to believe that such denunciation was not sincere. One instance of this, of which the said defendants propose to give evidence, is the following letters :—

Letter from C. S. Parnell, dated the 15th of May, 1882.

Letter from same, the 16th of June, 1882.

Another letter from the same of the same date.

The following are persons who are guilty of crime or advocates of treason, sedition, assassination, and violence with whom it is alleged the said members of Parliament continued to associate :—

Frank Byrne, who admitted his connexion with the Phoenix Park murders, and who was supplied with money by Mr. C. S. Parnell, which enabled him to escape to America.

Patrick Egan, the treasurer of the Land League, who, during the years 1881 and 1882, organized and procured the commission of crimes and outrages in various parts of Ireland.

Patrick Ford, the editor of the *Irish World*, who remitted large sums of moneys to the said association, and for the purposes aforesaid.

James Carey, the Phoenix Park informer.

Captain M'Cafferty, implicated in Phoenix Park murder.

Tynan, who organized the Phoenix Park murders.

J. Mullett, convict.

T. Brennan, who was secretary of the Land League, and paid some of the perpetrators of the Phoenix Park and other murders and outrages.

Edward M'Caffery, convict.

Patrick J. Sheridan, who was an organizer of the Land League, who organized outrages and acts of violence, and was implicated in the Phoenix Park murders.

M. J. Boyton, organizer of the Land League and instigator of crime.

J. W. Nally, convicted of crime.

John Walsh, of Middlesbrough, organizer of the Invincible conspiracy in Ireland.

Thos. F. Bourke, who was convicted of high treason on the 24th of April, 1866.

James Stephens, the chief of the Fenian organization.

J. J. Breslin, Hospital Superintendent of Richmond Gaol, a member of the Irish Republican Brotherhood, who aided Stephens's escape.

Hamilton Williams, the partner of Gallagher, the convicted dynamitard, and himself a dynamitard.

Alexander Sullivan, a member of the Clan-na-Gael.

Transatlantic (Mooney).

Augustine Ford.

Ellen Ford.

Maria Doherty.

Father Eugene Sheehy.

Dr. Wm. Carrol.

P. A. Collins.

O. O'M. Condon, sentenced to death for the murder of Sergeant Brett.

John Devoy, convicted of Fenianism, and a trustee of the Skirmishing Fund raised by the *Irish World*.

O. Brien, M'Carthy, and Chambers, convicted Fenians.

John Finerty, dynamitard.

John Daly, dynamitard.

General Millen, dynamitard.

W. F. Mackay-Lomasney, a convicted Fenian.

Stephen Joseph Meaney, convicted Fenian.

James Redpath, advocate of crime.

Jeremiah O'Donovan Rossa.

John O'Leary, convicted of Fenianism.

P. J. Gordon, Francis Tully, Father Egan, Father Coen, John Roche, of Woodford, P. N. Fitzgerald, Laurence Egan, J. Riordan, J. Connell, Timothy

Horan, Jeremiah Riordan, J. Dowling, Patrick Nally, M. M. O'Sullivan, M. J. Kelly, Thomas Fitzpatrick, Maurice Murphy, Martin Egan, J. M. Wall, A. M. Forrester, J. P. Quinn, W. F. Moloney, Pearson Reddington, members of the Land League and implicated in crime.

Anna Parnell, H. Reynolds, H. Lynch, Mrs. Moloney, Clara Stritch, Mrs. Moore, members of the Ladies' Land League who paid for the commission of crime.

NAMES OF MEMBERS OF PARLIAMENT AGAINST WHOM
IT IS PROPOSED TO GIVE EVIDENCE OF CHARGES AND
ALLEGATIONS :—

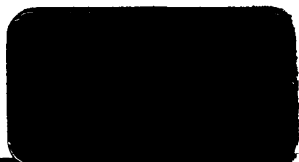
Thomas Sexton
Joseph Gillis Biggar
Joseph Richard Cox
Jeremiah Jordan
James Christopher Flynn
William O'Brien
Dr. Charles K. D. Tanner
William J. Lane
James Gilhooly
Joseph E. Kenny
John Hooper
Charles Stewart Parnell
Maurice Healy
James Edward O'Doherty
Patrick O'Hea
Arthur O'Connor
Michael McCartan
John J. Clancy
Sir G. H. Grattan Es-
monde, Bt.
Timothy D. Sullivan
Timothy Harrington
William H. K. Redmond
Henry Campbell
Patrick J. Foley
Matthew Harris
David Sheehy
John Stack
Edward Harrington
Denis Kilbride
Jeremiah D. Sheehan
James Leahy
Patrick A. Chance

Thomas Quinn
Dr. Joseph Francis Fox
Michael Conway
Luke Patrick Hayden
William Abraham
John Finucane
Francis A. O'Keefe
Justin McCarthy
Timothy M. Healy
Joseph Nolan
Thomas P. Gill
Daniel Crilly
John Deasy
John Dillon
James F. O'Brien
Patrick O'Brien
Richard Lalor
James J. O'Kelly
Andrew Commins, LL.D.
Edmund Leamy
P. J. O'Brien
Thomas Mayne
John O'Connor
Matthew J. Kenny
Jasper D. Pyne
Patrick Joseph Power
James Tuite
Donal Sullivan
Thomas Joseph Condon
John E. Redmond
John Barry
Garrett Mich. Byrne
Thomas P. O'Connor

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PARNELLISM AND CRIME.

THE SPECIAL COMMISSION.

PART I.

OPENING SPEECH

BY

THE ATTORNEY-GENERAL.

EXTRACTED FROM

The Times.

PRICE SIXPENCE.

Place.	County.	Date of Meeting.	Member.
Abbey (Woodford) ..	Galway ..	21 Oct., 1887 ..	D. Sheehy
Miltown ..	Galway ..	13 Nov., 1887 ..	W. K. Redmond
Miltown ..	Galway ..	13 Nov., 1887 ..	L. P. Hayden
Mohill ..	Letchim ..	16 Oct., 1887 ..	M. Conway
Mohill ..	Letchim ..	16 Oct., 1887 ..	L. P. Hayden
Longford ..	Longford ..	9 Oct., 1887 ..	T. M. Healy
Longford ..	Longford ..	9 Oct., 1887 ..	L. P. Hayden
Edgeworthstown ..	Longford ..	20 Nov., 1887 ..	E. Harrington
Edgeworthstown ..	Longford ..	20 Nov., 1887 ..	T. M. Healy
Ballyhaunis ..	Mayo ..	30 Sept., 1887 ..	J. F. X. O'Brien
Kells ..	Meath ..	4 Dec., 1887 ..	P. O'Brien
Kells ..	Meath ..	4 Dec., 1887 ..	W. K. Redmond
Mountmellick ..	Queen's County ..	18 Sept., 1887 ..	— McDonald
Oastleria ..	Roscommon ..	29 Sept., 1887 ..	J. R. Cox
Boyle ..	Roscommon ..	1 Oct., 1887 ..	J. R. Cox
Athlone ..	Roscommon ..	6 Nov., 1887 ..	D. Sullivan
Athlone ..	Roscommon ..	6 Nov., 1887 ..	T. D. Sullivan
Clonmel ..	Tipperary ..	6 Nov., 1887 ..	D. Sheehy
Clonmel ..	Tipperary ..	6 Nov., 1887 ..	T. Mayne
Tallow ..	Waterford ..	25 Sept., 1887 ..	J. D. Pyne
Tallow ..	Waterford ..	25 Sept., 1887 ..	J. Deasy
Tallow ..	Waterford ..	25 Sept., 1887 ..	T. M. Healy
Tallow ..	Waterford ..	25 Sept., 1887 ..	P. J. Power
Tang ..	Westmeath ..	2 Oct., 1887 ..	J. Tuite
Tang ..	Westmeath ..	2 Oct., 1887 ..	D. Sullivan
Arklow ..	Wicklow ..	24 Sept., 1887 ..	W. K. Redmond
Kilfenora ..	Clare ..	15 Dec., 1886 ..	— Kenny
Kilfenora ..	Clare ..	15 Dec., 1886 ..	J. Jordan
Kilfenora ..	Clare ..	4 Dec., 1887 ..	— Flynn, M.P.
Ennis ..	Clare ..	3 Sept., 1887 ..	J. Dillon
Cork ..	Cork ..	21 March, 1880 ..	J. G. Biggar
Carrigaline ..	Cork ..	9 Jan., 1887 ..	W. J. Lane
Coolbarney ..	Cork ..	25 Jan., 1887 ..	Dr. Tanner
Bantry ..	Cork ..	29 May, 1887 ..	J. Deasy
Bantry ..	Cork ..	29 May, 1887 ..	J. Gilhooly
Ballyvaughan ..	Cork ..	12 June, 1887 ..	J. O. Flynn
Mitchelstown ..	Cork ..	10 July, 1887 ..	W. O'Brien
Mitchelstown ..	Cork ..	10 July, 1887 ..	J. C. Flynn
Mitchelstown ..	Cork ..	10 July, 1887 ..	T. Condon
Mitchelstown ..	Cork ..	9 Aug., 1887 ..	W. O'Brien
Mitchelstown ..	Cork ..	11 Aug., 1887 ..	W. O'Brien
Meelin ..	Cork ..	14 Aug., 1887 ..	J. C. Flynn
Queenstown ..	Cork ..	6 Sept., 1887 ..	P. O'Hea
Queenstown ..	Cork ..	6 Sept., 1887 ..	W. J. Lane
Goleen ..	Cork ..	11 Sept., 1887 ..	J. Deasy
Goleen ..	Cork ..	11 Sept., 1887 ..	J. Gilhooly
Letterkenny ..	Donagall ..	4 Sept., 1887 ..	A. O'Connor
Caroudough ..	Donagall ..	12 Sept., 1887 ..	J. Doherty
Loughrea ..	Galway ..	7 July, 1887 ..	D. Sheehy
Abbeyfeale ..	Limerick ..	9 June, 1887 ..	D. Sheehy
Collon ..	Louth ..	29 May, 1887 ..	D. Crilly
Drogheda ..	Louth ..	17 July, 1887 ..	W. O'Brien
Drogheda ..	Louth ..	17 July, 1887 ..	W. K. Redmond
Carrikmacross ..	Monaghan ..	17 April, 1887 ..	D. Sheehy
Claremorris ..	Mayo ..	19 Jan., 1887 ..	J. E. Redmond
Ballinacostello ..	Mayo ..	31 Jan., 1887 ..	J. Deasy

Place.	County.	Date of Meeting.	Member.
Ballinrobe ..	Mayo ..	21 March, 1887 ..	D. Crilly
Bewport ..	Mayo ..	5 June, 1887 ..	D. Crilly
Newport ..	Mayo ..	5 June, 1887 ..	J. Deasy
Louisburg ..	Mayo ..	19 June, 1887 ..	J. Deasy
Lagacurran ..	Queens's County	24 July, 1887 ..	W. O'Brien
Hilstreet ..	Roscommon ..	19 Jan., 1887 ..	J. R. Cox
Boyle ..	Roscommon ..	28 Aug., 1887 ..	J. J. O'Reilly
Ballina ..	Tipperary ..	21 June, 1887 ..	D. Sheehy
Ballinborough ..	Cavan ..	21 Oct., 1880 ..	J. G. Biggar
Barnboy ..	Cavan ..	30 Oct., 1880 ..	J. G. Biggar
Barry ..	Cork ..	17 Oct., 1880 ..	T. M. Healy
Milstreet ..	Cork ..	15 Dec., 1885 ..	Dr. Tanner
Milstreet ..	Cork ..	15 Aug., 1886 ..	Dr. Tanner
Dubin ..	Dublin ..	22 Nov., 1883 ..	T. Sexton
Dubin ..	Dublin ..	23 Nov., 1883 ..	C. S. Parnell
Kybleg ..	Galway ..	21 Nov., 1886 ..	D. Sheehy
Portanna ..	Galway ..	15 Nov., 1885 ..	M. Harris
Woodford ..	Galway ..	17 Oct., 1886 ..	J. Dillon
Gurteen ..	Galway ..	10 Oct., 1886 ..	W. O'Brien
Athy ..	Kildare ..	10 Oct., 1886 ..	R. Lalor
Tullyallen ..	Louth ..	8 April, 1888 ..	J. Dillon
Castleblayney ..	Monaghan ..	30 Nov., 1888 ..	W. K. Redmond
Kellystown ..	Meath ..	22 April, 1888 ..	J. Dillon
Kilboon ..	Roscommon ..	17 Oct., 1880 ..	M. Harris
Boyle ..	Roscommon ..	20 Jan., 1884 ..	W. O'Brien
Borrisokane ..	Tipperary ..	27 Feb., 1881 ..	J. Dillon
Finea ..	Westmeath and Cavan ..	4 Nov., 1880 ..	J. G. Biggar
Gorey ..	Wexford ..	23 Aug., 1885 ..	W. H. K. Redmond
Dungarvan ..	Waterford ..	5 Oct., 1881 ..	T. M. Healy
Dungarvan ..	Waterford ..	5 Oct., 1881 ..	J. Leahy
Dungarvan ..	Waterford ..	5 Oct., 1881 ..	C. S. Parnell

The counsel representing *The Times* were the Attorney-General (Sir R. Webster, Q.C.), Sir H. James, Q.C., Mr. Murphy, Q.C., and Mr. W. Graham of the English Bar, and Mr. Atkinson, Q.C., and Mr. Ronan of the Irish Bar.

Mr. Parnell was represented by Sir C. Russell, Q.C., and Mr. Asquith; and the other members of Parliament against whom charges and allegations have been brought, by Mr. R. T. Reid, Q.C., Mr. F. Lockwood, Q.C., Mr. Lionel Hart, Mr. A. O'Connor, and Mr. A. Russell of the English Bar, and Mr. T. Harrington of the Irish Bar.

The Commissioners having taken their seats upon the Bench,

SIR C. RUSSELL said,—My Lords, I have an applica-

tion to make to your Lordships before the order of proceedings is discussed—an application in which my learned friends are not interested. It is an application under section 6 of the Special Commission Act for the release of Mr. William Redmond, a member of Parliament, against whom certain particulars have been delivered. I have to ask for an order for his release, in order that he may attend this inquiry, on such substantial bail as your Lordships may think fit.

The PRESIDENT.—When was he convicted?

SIR C. RUSSELL.—My Lords, the affidavit on which I move shows that he is now confined in Wexford Prison, that he is a material witness on behalf of his colleagues, and is a person against whom charges have been made. He is now under sentence of three months' imprisonment in Wexford Prison. The affidavit does not say when he was convicted, but I believe about a month ago.

The PRESIDENT.—When did he commit the offence for which he was convicted?

SIR C. RUSSELL.—I believe it was on the occasion of certain evictions when certain tenants were resisting the process of eviction. I am informed it was on the 14th of August.

The PRESIDENT (after consulting his colleagues).—We have already had a similar application in the case of Mr. Dillon, which we granted under certain conditions which I think I may say were easy. We were anxious that these proceedings should be commenced in such a way that all feeling of irritation should, as far as possible, be allayed. My brothers and I propose to follow the same course now in regard to Mr. Redmond that we pursued in regard to Mr. Dillon, but I think it right to point out that this power given to us to release prisoners must not be construed into immunity from imprisonment for all those against whom convictions have been obtained.

Without giving any expression of opinion I desire to point out that in future applications will be made under totally different circumstances. However, in order that our action may be prompt, we will give you an order for Mr. Redmond's immediate release until further order, but he will be required to enter into his own recognizances in £1,000 that he will take no part in any public proceedings whatever during the time of his temporary release or while this inquiry is proceeding, and that he will surrender himself when the period arrives to undergo the remainder of his sentence.

SIR C. RUSSELL.—I would point out that Parliament meets on the 6th of November.

The PRESIDENT.—I did not mean that.

SIR C. RUSSELL.—Would your Lordships make the order merely subject to any further order, so that he might be re-committed if he took part in any proceedings of which your Lordships disapproved?

The PRESIDENT.—We are of opinion that we must adhere to the terms which we laid down in the case of Mr. Dillon.

SIR C. RUSSELL.—Mr. Dillon was not released under your Lordships' order, but by the Government.

The PRESIDENT.—Yes, but we laid down certain conditions in his case, and to those conditions we must adhere.

SIR C. RUSSELL.—Would the conditions allow him (Mr. Redmond) to take part in public proceedings out of Ireland?

The PRESIDENT.—No.

SIR C. RUSSELL.—Then my application is unavailing, for Mr. Redmond would not comply with the conditions.

The PRESIDENT.—Oh, very well then.

The ATTORNEY-GENERAL.—Perhaps it would be convenient now for my learned friends to state for whom they appear. I appear, with my learned friends Sir

Henry James, Mr. Murphy, Mr. Atkinson, Mr. Graham, and Mr. Ronan, for the proprietors of *The Times*.

SIR C. RUSSELL.—I appear, with my friend Mr. Asquith, for Mr. Parnell.

MR. REID.—I appear, with Mr. T. Harrington and Mr. Arthur Russell, for Mr. Dillon, Mr. Healy, and others whose names I shall hand in.

MR. LOCKWOOD.—I appear, with Mr. Lionel Hart and Mr. A. O'Connor, for certain other gentlemen, the rest of the members of Parliament charged, a list of whom I shall hand in.

MR. HAMMOND (solicitor).—I appear for Mr. P. A. Chance.

THE ATTORNEY-GENERAL.—Might I be allowed to ask whether your Lordships have arrived at any determination as to how many days a week your Lordships intend to sit? I hope not every day.

THE PRESIDENT (after consulting his colleagues).—We shall be ready to hear what counsel have to say, but our present view is to sit every day except Saturday.

THE ATTORNEY-GENERAL.—I confess I had hoped that, having regard to the burden and gravity of the case, your Lordships would have thought four days a week sufficient. Your Lordships will have considerable matter to digest.

THE PRESIDENT.—We shall be happy to hear what counsel have to say on the subject, and if we find there is a general concurrence of opinion on the matter we shall be anxious to meet their wishes.

SIR C. RUSSELL.—So far as I can gather there is not only a general concurrence but a unanimous feeling.

THE PRESIDENT.—We have already intimated our own feeling. It will, we think, be better to go on every day this week except Saturday, and we shall be ready to listen to any further application on the subject.

SIR C. RUSSELL.—As to Wednesday next, my Lords?

THE PRESIDENT.—With regard to Wednesday I have

taken on myself to excuse our attendance at the proceedings connected with the opening of the Courts.

SIR C. RUSSELL.—I have some applications to make to your Lordships, in regard to the particulars and discovery that were ordered.

The ATTORNEY-GENERAL.—We have had no notice of any application, and the particulars were delivered on Monday.

The PRESIDENT.—It would certainly have been according to practice to have given notice of your application.

SIR C. RUSSELL.—The first application I have to make is in relation to discovery.

The PRESIDENT.—Is it based on affidavit?

SIR C. RUSSELL.—Yes.

The ATTORNEY-GENERAL.—Which was sworn this morning.

SIR C. RUSSELL.—Yes, only a few moments ago.

The PRESIDENT.—Would it not be more convenient to let the applications stand over till to-morrow morning? I do not think that will make any material difference.

SIR C. RUSSELL.—I do not think it will. There is, however, another matter which I may mention by way of giving notice to my learned friends. No particulars have been delivered as to the "other persons" against whom allegations have been made and are intended to be made here. We know that there is in the particulars the omission of the name of a gentleman who has taken a prominent part in the politics of Ireland—Mr. Michael Davitt. He was not a party to the application for particulars, and that may be the reason why his name is omitted. But one part of the application which I shall press upon your Lordships to-morrow morning is that particulars be given of any other persons than those enumerated against whom it is intended to substantiate any charges.

The ATTORNEY-GENERAL.—I shall make my observations on that matter when the application is made.

The PRESIDENT.—Very well.

The ATTORNEY-GENERAL then rose to open the case, and said :—I have now to lay before your Lordships the outline of the case which it will be my duty to present to your Lordships on behalf of my clients in accordance with the course of procedure settled by your Lordships at the preliminary meeting, and which, if I may be allowed to say so, appears to be the most proper and natural method of procedure that could be adopted. Having regard to the extreme importance of the matters I have to lay before your Lordships, and the extent to which I must generalize in dealing with some of the topics, I think it will be convenient for me to make a few preliminary observations in regard to the exact position in which we stand. Your Lordships are aware that you are sitting under the Special Commission Act of 1888, and your Lordships are also aware—as, indeed, you indicated at the preliminary meeting to my learned friends Sir Charles Russell and Mr. Graham—that you have nothing to do with anything that passed in any other place, or with the arguments used when this measure was passing through Parliament. The Act of Parliament gives your Lordships a certain commission, and it is that commission that you are now starting to fulfil. Your Lordships will find, on reference to the first section of the Act, that the duty that is imposed upon your Lordships by name is “to inquire into and report upon the charges and allegations made against certain members of Parliament and other persons in the course of the proceedings in an action entitled ‘O’Donnell *versus* Walter and Another.’” It will, of course, be my duty not only to summarize what is the nature of those charges and allegations, but to enter into some detail and state the nature of the evidence we propose to lay before you. But, passing to the other sections of the Act, I desire to remind your Lordships

of the position in which the parties before your Lordships are. You will find by the sixth section that "the persons implicated in the said charges and allegations, the parties to the said action, and any person authorized by the Commissioners may appear at the inquiry, and any person so appearing may be represented by counsel or solicitor practising in Great Britain or Ireland." The position which I and my learned friends are in is this—that we are here to give your Lordships the fullest information in our power which may elicit the truth. We accept at once the duty which was indicated in your Lordships' decision at the preliminary meeting—namely, the duty of giving all the evidence we can to prove the charges and allegations that have been made. At the same time, we must point out that we are not the persons who are to inquire into the truth of these charges. Nothing can relieve your Lordships from the duty of inquiring and reporting. I am sure that I am not saying anything that is not passing through your Lordships' own minds, because your Lordships have already indicated this view at the preliminary meeting. But I desire to make this point quite clear. We shall lay before your Lordships everything that we possibly can. We shall indicate sources from which information can be obtained, though we may not be, at the present time, in a position to bring that information before you by legal evidence. If, in the course of the inquiry, information comes to our knowledge which would enable us to give your Lordships the channels or sources from which information can be obtained, we shall feel it our duty to lay it unreservedly before your Lordships, thus fulfilling the duty which you indicated on the last occasion—honestly to put before your Lordships all the sources of information that are at our command. Perhaps it may be well that I should refer to section 9 of the Act before passing away from the Act. Your Lordships will notice that "any person examined as a witness under this Act

before the Commissioners, or under a commission to examine witnesses abroad, may be cross-examined on behalf of any other person appearing before the Commissioners. A witness examined under this Act shall not be excused from answering any question put to him on the ground of any privilege, or on the ground that the answer thereto may criminate or tend to criminate himself." The last four lines are not new, but are similar to the provisions with regard to many Royal Commissions ; but the first four lines are, as far as my recollection serves me, quite novel—namely, the power given to any person interested to cross-examine. This does not, I submit, alter the position of the Commission in any way, or fetter the discretion or powers of your Lordships, nor does it relieve the Commission from any burden or duty cast upon it ; but, having regard to the nature of the charges made, and the circumstances under which they were made, it in all probability was deemed desirable that this right of cross-examination, not usually given, should in this case be given. I do not think it is necessary to refer at the present moment to any other sections of the Act. I now come to the proceedings which led to the passing of this Act. As your Lordships know, you are inquiring into charges made against members of Parliament and other persons in the course of proceedings in an action of " O'Donnell v. Walter," and in all probability your Lordships will agree with me if I say that the general scope of this inquiry must be confined to the charges and allegations which were made in the course of those proceedings. I say that for this reason. We have nothing to do with ordinary political organization or political agitation. We are not here to inquire into the rights or wrongs of Home Rule, or the rights or wrongs of particular tenants, or into any of those questions which are supposed to be, or have in fact been, burning questions for a long time in reference to Ireland. We are here to inquire—or I should say your

Lordships are to inquire—into certain specific charges and allegations. I shall conceive it to be my duty to show that the several individuals who are referred to in the original charges and in the particulars which have been delivered are directly or by clear implication guilty of what is charged against them, for, having read your Lordships' ruling on the last occasion, I know that you pointed out that it was in reference to members of Parliament and other persons that you were inquiring. Let me now make a few preliminary observations in regard to the charges themselves. It is, I think, essential that your Lordships should understand what the charges and allegations are. Let me at once mention one or two dates to which I shall have subsequently to refer. The charges were originally made in articles which formed the first of a series of articles now known as "Parnellism and Crime," all of which have been printed at the end of the Blue-book before your Lordships. They commenced on the 7th of March, 1887, and were continued on the 14th and 24th, and a few appeared in the early days of April. I advisedly refrain now from reference to the later articles. The charges contained in the earlier articles were not new charges. They had been made under other circumstances on previous occasions, and it may possibly be that your Lordships may have to inquire into the circumstances under which some of these charges had been made at an earlier date. But for the purposes of my argument, let me make it clear that the earlier group of the articles termed "Parnellism and Crime" were a mere repetition of charges made in the years 1882 and 1883 in reference to some of the same individuals. It would be absurd to suggest that when these charges were made by the writers of *The Times* newspaper they were in a position of being able to legally prove all the allegations that they made. If a newspaper were to wait until it had absolutely legal proof of the facts on which it comments, its comments

would often not appear for several years, and sometimes never. I do not deny—it is no part of my duty to deny—that the charges that were made in the year 1887, and which were a repetition of charges formerly made in 1882 and 1883, were made on information communicated to those who wrote the articles, which in all probability in many instances would not be legal evidence. I shall have, for instance, to call attention to extracts from other newspapers—I refer especially to extracts from the *Irish World*, *United Ireland*, and the *Freeman's Journal*. The position of these newspapers will be a subject which may form an important part of your Lordships' inquiry. But at the present moment I am calling your Lordships' attention to the fact that the charges which were made rested, to a certain extent, upon statements which the writers of the articles in *The Times* believed to be true statements, for which authority was given and reference made to the sources from which the information was obtained. The group of articles, beginning with that of the 7th of March, 1887, and ending in the month of April, 1887, evoked no proceedings on the part of any person directly charged or implicated in the charges and allegations. Later in the year, and in the month of June, 1887, certain other articles were written, and in these certain further statements were made. Among these statements was one which had direct reference to a particular individual, Mr. Parnell. There was published a letter, purporting to be signed by him on the 15th of May, 1882. Undoubtedly, with reference to the case of Mr. Parnell himself, that letter must form, and will form, a matter which your Lordships will most carefully and thoroughly investigate. But it is most important, in reference to the inquiry in which your Lordships are engaged at the present time, to observe that the writing of a particular letter by Mr. Parnell, important as this will be so far as his case is concerned, will not enable your Lordships to judge of the main truth of the allegations which are directed, not against Mr. Parnell alone, but against Mr. Parnell and his associates. It will be necessary for me when I come to refer to the evidence I am about to lay before

your Lordships to point to individuals by name, and I shall do so wherever I feel the interests of justice demand it ; but I want your Lordships to understand that in the first place it is essential that you should know and appreciate what the charges and allegations were, and against whom they were and are made, and who are the persons directly, or by clear implication, accused. Now, my Lords, these articles having been written, and the letter having been published on April 18 directly relating to Mr. Parnell, and also further articles, no proceedings were taken other than these—that in the course of this year an action which had been commenced came on for trial. The action had been commenced by Mr. O'Donnell, who had at one time been associated to a greater or less extent with Mr. Parnell and his followers. Mr. O'Donnell complained that he had been libelled in the allegations made by *The Times* in "Parnellism and Crime." The proceedings at that trial are printed in the Blue-book, which will be before your Lordships. Mr. O'Donnell complained of certain allegations which, taken without their context, he alleged referred to him. In the course of these proceedings it became necessary for *The Times* to state their whole case in answer to this action. It was alleged by Mr. O'Donnell that he had been defamed and slandered, to which *The Times* answered that they had not defamed Mr. O'Donnell, but that they had made against a number of persons, many of whose names were stated, a number of serious charges. I do not know that I can do better than read the description of these charges and allegations given by the Lord Chief Justice, who tried the action of "*O'Donnell v. Walter*":—

"It would seem, therefore, that *The Times* newspaper, in the discharge of what those who conduct it, I have no doubt, thought their duty, published a series of articles, which are known to us under the familiar or short title of 'Parnellism and Crime.' They run over in this small type something like 60 pages ; they contain a great variety of statements, and statements deeply incriminating a number of persons—members of Parliament, persons not members of Parliament, but well known to the world, and a number of prominent men, who are accused, if I may say so, frankly and plainly, of abominable crime, not so much, perhaps, that they themselves have committed

with their own hands abominable crime, but that they have lent themselves to a system which must necessarily, as its reasonable effect, be accompanied with crime, and that with regard to many of the crimes by which it was accompanied they themselves had personal knowledge. That is the statement in a broad way, but that is in substance what is charged against a number of persons whose names you have heard in the course of these articles about 'Parnellism and Crime.' "

I adopt, if I may respectfully say so, these words of the Lord Chief Justice. Whatever may be any failings of mine in making my statement to your Lordships with regard to the matter I am going to lay before you, those who are so well represented by my learned friends shall have no reason to find fault with me for not making my allegations clear in the discharge of my duty with regard to the part which has been played by those of whom I shall have to speak ; but inasmuch as we are not only concerned with the case of Mr. Parnell, though that is one of the most important, but also with the part played by Mr. Dillon, Mr. Matthew Harris, Mr. William O'Brien, Mr. Biggar, and Mr. T. Harrington, and, passing from members of Parliament, with the part played by Egan, Brennan, Boyton, Gordon, and a number of others whose names are given in " Parnellism and Crime," it is clear that it is perfectly impossible for me properly to discharge my duty, or for the proprietors of *The Times* to discharge their duty, by limiting the inquiry to the allegations against any one individual. Now, my Lords, when the preliminary inquiry took place your Lordships thought it a reasonable application that we should specify the charges in sufficient detail to enable my learned friends to know what the charges are that they have to meet. Your Lordships at that time indicated that you had not read the articles referred to. I shall not assume that your Lordships have yet read the whole of the articles, but I shall think it right, in order to make my statement clearer, to refer to the pages of the Blue-book in which the different allegations are to be found. Because I agree that if my learned friends were in a position to say, " You are stating against us accusations that are not contained in ' Parnellism and Crime,' and not raised in the proceedings of ' O'Donnell v. Walter,' " I doubt whether your Lordships would

have jurisdiction to entertain such accusations. I shall have to refer in the course of my statement to what has been called "the conspiracy," and at other times "the organization," and I shall use these terms because, when I shall allude subsequently to the names of individuals, it will be seen that they did not all take part always in the acts that I am going to prove. Sometimes the act was done by one, sometimes by another. But, rightly or wrongly, truly or falsely, we shall allege that all the acts were done in furtherance of a preconcerted and preconceived conspiracy, with definite objects and definite ends, and in the only way in which those objects and those ends could be attained. The only way the conspiracy or organization could do the work which those mixed up with it intended it to do was by the commission of crime. I shall show your Lordships that the fact that the conspiracy or organization could only be made effective by means of crime was pointed out so far back as in 1881, 1882, and 1883, and I shall demonstrate to your Lordships that it is only by crime and the commission of crime that it could be made effective. In other words, the significant phrase "Parnellism and Crime" is an accurate paraphrase of the history of the organization itself in three words—"Parnellism," because it took its name from the man who played a very prominent part in public affairs, who was the recognized leader and head of the organization—not by any means doing the whole work, that would have been impossible—but supported by men of great vigour and energy and undoubted ability, but not inaptly called "Parnellism," because the organization represents his following; and "Crime" because, whatever its objects, whatever may be suggested as to its being engaged in *bond fide* agitation, its real work could not be carried on without crime, and without crime it could not have succeeded. Now, my Lords, let us first take the particulars. I make no apology to your Lordships for occupying time. I am sure that your Lordships would prefer that in justice to those against whom I am opposed in this case I should make my meaning perfectly clear rather than attempt to cut matters, and I hope there will be no cause of complaint of any want of plain speaking on my part as the advocate or representative of *The Times*. I will ask your Lordships to take the particulars which have been

delivered, and allow me to go through them and then to refer to two or three passages in "Parnellism and Crime," in which the charges and allegations will be found described. The second paragraph of the particulars is in these words :—"The members of Parliament mentioned in the schedule were members of the conspiracy and organization hereinafter described, and took part in the work and operations thereof with knowledge of its character, objects, and mode of action." Then, my Lords, the next paragraph contains the names of the various societies which are referred to, and we take them to be the Irish Land League, the Irish National Land League and the Labour and Industrial Union, the Ladies' Land League, the Ladies' Irish Land League and Labour and Industrial Union, the National League, and the affiliated societies in Great Britain and America, all forming one connected and continuous organization. I have here to say that the word "organization" is not made use of by those who framed these particulars for the purpose in any shape of avoiding the responsibility cast upon us of dealing with the case of charges and allegations against individuals, but because the conspiracy to which "Parnellism and Crime" referred cannot be compendiously referred to except by some one word which will indicate that we are dealing with a number of men acting in concert. In dealing with something that had branches in hundreds of districts in Ireland, your Lordships will see how essential it is to have some one word by which to refer to it, and the word "organization" is inserted for the purpose of showing what was the real working of this combined conspiracy, how all the strands of interest were bound together in one form, and how men who otherwise could not have worked together did work in one combined organization or conspiracy. The next paragraph of the particulars states :—

"The ultimate object of the organization was to establish the absolute independence of Ireland as a separate nation. With a view to effect this, one of the immediate objects of the said conspiracy or organization was to promote an agrarian agitation against the payment of agricultural rents, thereby securing the co-operation of the tenant-farmers of Ireland, and at the same time the impoverishment and ultimate expul-

sion from the country of the Irish landlords who were styled 'the English garrison.'"
I repeat, and I will make it clear in the course of my observations, that the way in which this conspiracy worked and was intended to work was, if necessary, by the commission of crimes which would injure both the landlord and the tenant, which in 99 cases out of 100 injured the tenant and did not injure the landlord, in order to drive the "English garrison"—the Irish landlords—from any possession in the soil of Ireland. But I am utterly indifferent as to what the particular object of the organization was, except for the light it throws on the means adopted by the organization. The particulars proceed to say:—

"The mode of action was to organize a system of coercion and intimidation in Ireland, which was sustained and enforced by boycotting and the commission of crimes and outrages.

"The organization was actively engaged in the following matters:—

"1. The promotion of and inciting to the commission of crimes, outrages, boycotting, and intimidation."

Your Lordships need not and must not think that I have the slightest intention here of referring to minor matters—such as preventing people from dealing with particular persons—except in so far as it will be necessary to do so to show how less grows to greater. We shall, so far as it is material to our purpose, prove that, in order to make what was called boycotting effective, in order to make intimidation effective, crimes of the worst character had to be resorted to; in fact, a very little consideration, when I come to that part of the case, will show that if the persons who were carrying on this conspiracy stopped short of crime, of personal injury, of violence, and at times of murder, there would have been an end to the success of the organization altogether. In other words, it was only by imposing on the subjects of this tyranny such fear as made them the absolute slaves of the organization that it could be made effective, and its power and influence sustained. What I shall do is to show that many of these men who are named in these particulars have personally taken part in acts which did undoubtedly lead to crime of the worst description, and that many of them, as I shall ask you

Lordships to come to the conclusion, must have known, and did know, that the consequences of the conduct in which they were taking part would be the commission of these crimes. I shall show your Lordships that after it was clear that the result of the conduct to which I have referred was to lead to the commission of these crimes, they repeated over and over again the same conduct, and that down to a very recent date ; and, what is perhaps, after all, quite as important an observation, I shall show that being men of undoubted influence, being men respected and of great ability, and it may be revered and beloved by some of the inhabitants of Ireland, with scarcely an exception, they never denounced these outrages, and took no steps to put an end to this the most cruel of tyrannies that ever existed in any country in the world. Now, my Lords, the second head of the particulars is this :—

“ 2. The collection and providing of funds to be used, or which it was known were used, for the promotion of and the payment of persons engaged in the commission of crimes, outrages, boycotting, and intimidation.” Later in my opening statement I will explain to your Lordships what at the present time we are in a position to lay before your Lordships in regard to this matter, and I shall have to mention the fact that, owing to orders made on a previous occasion not having been complied with—namely, for the discovery of bank books—we shall not be able to lay them before your Lordships in the same detail as we should have wished to do ; but I will postpone referring to that matter in detail until I come to it in my chronological statement. Then we say that these persons were actively engaged in “ the payment of persons who assisted in, were affected by, or accidentally or otherwise injured in the commission of such crimes, outrages, and acts of boycotting and intimidation.” When I deal with this particular part of the case I shall lay before your Lordships evidence which will undoubtedly require the most careful examination, but with regard to parts of that evidence it cannot be shaken, and I think your Lordships will have no doubt that many of those whose names are included in these particulars knew, and must have known, that sums of money were being paid under exceptional conditions and over a long period of time to the persons who were engaged in carrying out the acts of violence and crime to which

I have referred. Here, again, I do not intend to refer to payments made with respect to minor matters, except in so far as those minor matters grew to be larger and led to the commission of more important and serious offences. The fourth head of the particulars is :—

“Holding meetings and procuring to be made speeches inciting to the commission of crimes, outrages, boycotting, and intimidation. Some of the meetings referred to, which were attended by members of Parliament, with the approximate dates and place of meeting are given in the schedule hereto.”

I need not refer to that again, because I have mentioned it in speaking of the way in which the organisation did its work. Many of the acts and consequences referred to were the direct result, as the writer of the articles alleged, and as the proprietors of *The Times* now allege, of the meetings, of the speeches, and of the conduct referred to. Then, my Lords, I have to call attention to the fifth paragraph of the particulars, viz. :—

“The publication and dissemination of newspaper and other literature inciting to and approving of sedition and the commission of crimes, outrages, boycotting, and intimidation, particularly the *Irish World*, the *Chicago Citizen*, the *Boston Pilot*, the *Freeman's Journal*, *United Ireland*, the *Irishman*, the *Nation*, the *Weekly News*, *Cork Daily Herald*, the *Kerry Sentinel*, the *Evening Telegraph*, the *Sligo Champion*.”

I desire to state here, my Lords, that I shall have to address your Lordships at some considerable length upon the connexion between those gentlemen who are named and the organizations in America. I shall have to show your Lordships, or at any rate indicate to your Lordships, the heads of the evidence from which it will appear that there was being collected in America a very large sum of money by means of literature of the worst kind—literature which incited and invited people to participate in acts of the most infamous character, such, for instance, as the use of dynamite and the use of the dagger, and other crimes of the worst description ; and it will be part of the case which I have to lay before your Lordships that many of the gentlemen to whom I have referred knew of the publication of this literature, knew of the way in which the money was collected, and with that knowledge con-

tinued to consort with and to thank the people who had collected the money by these means, received the money, and, for all I know—I speak for my clients of course—have a considerable portion of it still. Be that as it may, that part of the case, which in one sense is entirely a separate thing, is one of the main and principal allegations made by the writer of “Parnellism and Crime”—namely, that many of those whose names are included were in active communication with some of the most violent agitators in America and, with a knowledge of the doctrines preached by those agitators, availed themselves of their services, received the money they had collected, and continued to consort with and be friendly with them after there had been a publication of their views extending over a very long period of time. Of course, my Lords, I do not say that at the present time I am in a position to give you the whole of the details of the working of the conspiracy in America. Your Lordships have powers, and it may be necessary to exercise those powers for the ascertainment of the truth. With regard to certain incidents I shall be able to lay evidence before your Lordships, and the evidence referring to those incidents will, I think, lead to sources of information to which your Lordships can go, if you think it necessary for the elucidation of the truth, to ascertain whether the view I have put to your Lordships is the correct view or not. Then, my Lords, we allege that the members who were taking part in the conspiracy and in the overt acts that were done in furtherance of the conspiracy advocated resistance to law and the constituted authorities and impeded the detection and punishment of crime. In connexion with that part of the case it will be my duty to bring before your Lordships evidence with regard to the part that was taken by some of those named, and by their agents with their knowledge, with regard to persons who had been charged with some of the worst offences which were committed in Ireland during the years 1880, 1881, and 1882, and even later. If I am correctly instructed, some of the acts that were done must have come to their knowledge—nay, more, must have to a certain extent been carried out with their authority and under their direction. Then, my Lords, the seventh head is:—

“Making payments to or for persons who were

guilty, or supposed to be guilty, of the commission of crimes, outrages, and acts of boycotting and intimidation, for their defence, or to enable them to escape from justice, and for the maintenance of such persons and their families."

I think your Lordships will find when the evidence is given with regard to these matters that there will be very little doubt in your Lordships' minds that sums of money, of which many of those gentlemen to whom I have referred had to a greater or less extent the control, went for the purposes indicated in that paragraph. Then, my Lords, comes the statement in paragraph 8 :—

"It is charged and alleged that the members of Parliament mentioned in the schedule approved, and by their acts and conduct led people to believe that they approved, of resistance to the law and the commission of crimes, outrages, and acts of boycotting and intimidation when committed in furtherance of the objects and resolutions of the said societies, and that persons who engaged in the commission of such crimes, outrages, and acts would receive the support and protection of the said societies and of their organisation and influence."

I do not think it necessary for me to read paragraphs 9 to 13, though I will do it if it is desired ; but in detail they are merely a little more elaboration of the particular acts named, and my reason for not referring to them is that I have in general language more or less indicated those acts in describing the way in which the conspiracy was worked. But I will call attention to the specific allegation in paragraph 13—namely, that they and the said societies, with such knowledge as aforesaid, received large sums of money which were collected in America and elsewhere by criminals and persons who were known to advocate sedition, assassination, the use of dynamite, and the commission of crimes and outrages. Then your Lordships will find in paragraph 14 the allegation respecting three letters published and said to be signed by Mr. Parnell. Of course, your Lordships are aware that my learned friend Sir Charles Russell, when he appeared on the last occasion, indicated to your Lordships that those letters were forgeries. I shall in the course of my opening statement, when I arrive at the incidents to which these

letters refer, make to your Lordships statements that will to a great extent enable your Lordships to judge how far my learned friend will be able to support that statement. Probably before the end of this case your Lordships will have the fullest opportunity of coming to a decision as to whether or not the allegation that those letters were forgeries is true ; but all I will say at present, dealing with that particular allegation, which is one which of course directly affects Mr. Parnell and probably only one other individual, is that there will be many documents which will have to be referred to in connexion with the incident, and I shall lay before your Lordships evidence on which you will be able to come to a decision as to what is the truth in the matter. Now, my Lords, you will find in the particulars a list of the names of the other persons who are alleged to have been the associates of the members of Parliament, though, of course, not all of them ; but it will be found that most of the members of Parliament were in association with a great many of those whose names are in the list. I shall in a few moments, I hope, be able to get to a part of the story which will render it necessary to refer to these names ; therefore, I do not propose to stop now to go through them. When I come to deal with them categorically and chronologically, I shall have to state to your Lordships the part which any particular individual mentioned in the list took. They are put in the particulars in order to give my learned friends the information with regard to those who *The Times* alleged in "Parnellism and Crime" were directly connected with the crime and outrage to which reference was therein made. Now I gather from your Lordships that it is better that I should not assume your Lordships to have an intimate knowledge of "Parnellism and Crime ;" therefore I think I should briefly refer to certain passages in which your Lordships will find the charges made in plain and unmistakable language. With reference to the organization itself I would ask your Lordships to refer to the Blue-book before you, from which I am obliged to quote from my own speech. On page 65 you will find this passage :—

"Whatever may be the difficulty on the part of the defendants' counsel when they are laying this case before you, this I will undertake to demonstrate to you—namely, that the libels, the slanders published in

The Times prior to Mr. O'Donnell having written himself, by which I mean prior to the 17th of June, referred to the Land League in Ireland, and to the illegal organizations known by that name, and not to the Irish Constitutional party with which alone Mr. Lucy knows Mr. O'Donnell to be connected."

Mr. Lucy, my Lords, is a reporter of the *Daily News*, who had been a witness for Mr. O'Donnell, and had stated that he knew Mr. O'Donnell as a member of the Irish Constitutional party. Then, if your Lordships will kindly refer to the top of page 122, you will find the following :—

"As we go through these I will ask you to watch most carefully, and say, is there any libel that can be said to be connected with Mr. O'Donnell?—because, as far as I have gone, the libel, be it true or be it false, is against the Land League, and nobody else."

Then, again, on page 164 :—

"I am prepared, if necessary, to call witness after witness to prove the facts with regard to the doings of the real Land League."

Now I will ask your Lordships to allow me to refer you to the paragraphs which alleged that the organization to which I have referred was one combined conspiracy. At the bottom of page 79 you will find :—

"Now, gentlemen, I wish to call your attention to one other very remarkable case, and that is the case of Woodford. I refer to it because *The Times* has said, and I shall, if necessary, maintain, that there has been the same continuity of action between the Land League and the National League."

Then, again, on page 107 :—

"I shall be able to show you, though it is not so very material, that quotations in *The Times*' articles from the speeches of Byrne in America were correctly reported in the official journals as being speeches which he delivered in which he advocated the use of dynamite, the knife, and political agitation. I remind you that at the end of July, 1883, Carey, the informer, was shot by O'Donnell. I shall prove before you that subscriptions were received all through the year 1883 and onwards from the American organization. I shall prove before you that in February, 1884, was published a statement of the amounts that had been collected under these funds and published as being a statement of account showing, if any part of it was true, the con-

nexion between the Irish organization and the American organization."

I am only now referring to this matter for the purpose of indicating that we have throughout maintained—that *The Times* and the writers of *The Times* have throughout pointed out that the organization of which Mr. Parnell and his followers are members was intimately connected with the societies in America which advocated such courses and conduct as those to which I have referred. On page 129 you will find these words :—" We have laid bare some of the ligaments that knit the so-called ' constitutional movement ' in the United Kingdom to its fellow-conspiracy in the United States." The whole of page 131 contains charges of exactly the same character, and in it there occurs this passage :—" He " (that is, Ford) " subscribed to the Parliamentary Fund ' out of his own private purse,' he ' published the reports and manifestoes of its officers,' he cheerfully forwarded many heavy contributions to the reverend treasurer, he ' enlisted ' and ' called out ' American sympathy, he started the Home Rule mass meetings, and elicited and published in his murderous print some 200 Home Rule letters from American politicians with an eye to the Irish vote. Even at the height of the money squabble the close relations between the ' constitutional ' Leaguers and the Fenian skirmishers established by Davitt, and ratified by Mr. Parnell on his American tour, were carefully maintained."

THE PRESIDENT.—Whose language is this ?

THE ATTORNEY-GENERAL.—I think it is an extract from the *Irish World* of July 22, 1882. On page 136 there is a passage to which I wish to call attention :—

" Davitt explained the secret of the conspirators' success in a speech of great frankness and ability. Former insurrections in Ireland had exclusively relied on Irish national sentiment. ' But Irish national sentiment had not succeeded in winning Irish liberty. Recently they had added the power found in the desire of a people to improve them (*sic*) socially. They had to combine the whole Irish race at home and abroad in one vast movement. . . . They had to strike at and cripple the power of Irish landlordism, England's territorial garrison in Ireland, before they could call into the field of action the full force of Irish manhood and Irish national sentiment.' The march, to reiterate

Mr. Gladstone's felicitous phrase, lies 'through rapine to dismemberment,' and the distinctive characteristics of the League movement, which had made it vigorous and progressive where all preceding agitations had been fitful and weak, are its Jacobin appeal to agrarian greed at home and its direct invocation of Irish-American race-hatred abroad—that hatred which, as Mr. Finerty admits, no English concessions can abate. Sullivan and Mr. William O'Brien also spoke, but the most interesting item in the programme was the presentation of a service of plate to Pat Egan, the fugitive treasurer of the League, the man who hinted to the 'Invincibles' that 'talk' would never open the gates of Kilmainham."

On page 146 there are these passages :—

"The rest of the story is told, so far as the facts are concerned, in the columns of Ford's newspaper, the organ of the dynamite party and the channel through which, as Davitt has gratefully testified, 'enormous sums of money' have passed into the hands of the League. From this trustworthy source we learn that Mr. Parnell's party have been associated, not only before but since the detection of the Phoenix Park murderers and the disclosure of the origin of the 'Invincible' conspiracy, with Ford himself, who 'stands by all he has ever said on this doctrine of dynamite' with Egan, who hinted to the 'Invincibles' that 'talk' would never get the suspects out of Kilmainham, with Sheridan, Brennan, Walsh, Boyton, and Byrne, all implicated by Carey's evidence, all fugitives to the United States, and all conspicuous members up to that time of the staff of Mr. Parnell's 'constitutional agitation.'"

I do not desire to read the succeeding passages, but I must indicate them, because they contain a categorical reference to a meeting which may possibly be made the subject of some evidence. Then on page 152 your Lordships will find a passage which again puts the matter most distinctly :—

"Much mystery still attaches to the relations between the Irish Land League and the Invincible conspiracy which culminated in the Phoenix Park murders, but a good deal is known besides what appeared in the evidence at the trials of the complicity of some of the 'constitutionalists' with that crime. It must be borne in mind that the Parnellites maintain

that the Land League and the National League in Ireland, England, the United States, are all constitutional bodies working by lawful means for lawful ends. It must also be remembered that there is a complete solidarity established between all the Leagues in the three countries. In dealing with the question of funds, at any rate, the Irish Land League and the National League, with the affiliated societies in Great Britain and America, must be regarded as one organization. The American branch of the League has always been the chief source of supplies; and the English branch was also founded to subsidize the movement in Ireland. The unity of the organization on both sides of the Irish Channel is proved by a secret article, which was issued by the executive of the League at Westminster three days after the parent society was in Ireland suppressed; the document is interesting also on account of the proof it affords that the conspirators recognized the illegality of their proceedings."

I need not now refer to the details of that particular circular, for I am only justifying the allegation which we have made that the League and the various societies of which these gentlemen were members formed one continuous and united organization. Now, I have to justify the statement in the particulars that the organization depends, in carrying out its objects, upon the commission of crime, and I will call attention to a few passages, in order that your Lordships may see that I am not passing outside the charges and allegations made in the particulars. On page 67 you will find this passage:—

"The whole organization of the Land League and its successor the National League depends upon a system of intimidation, carried out by the most brutal means, and resting ultimately upon the sanction of murder. The Irish Home Rule party glory in being the inventors of this organization, and openly base their appeals, whether of the wheedling or of the menacing kind, upon the knowledge that its power is at their disposal."

I referred to that some time ago, when I spoke of the way in which this organization did its work and of what was necessary to its success. I mention it now, in order to indicate to your Lordships the charges and allegations that have been made. On page 73 there is

the following statement of my own—it is not a quotation from “Parnellism and Crime” :—

“ The charge made was this—that the Land League and its successor the National League depends upon a system of intimidation carried out by the most brutal means, and resting ultimately upon the sanction of murder. There are one or two other passages to which I will refer when I come to deal with the libels later on, in which, in different language, the same idea is put forward, that a reign of terror, intimidation, and tyranny, supported by outrage, was the policy of the Land League during the years to which I refer. Now, gentlemen, do not let it be supposed that I am going to deal with the small fry of this organization. I am going to put before you evidence of the fact that in the presence of their leaders, sometimes by the leaders themselves, were made speeches at Land League meetings, directly inciting to outrage, inciting to arson, inciting to treatment which has led to the most iniquitous results. Please understand this—that while upon the one side I shall put before you affirmative evidence of the infamous speeches that were being made by many of these men, sometimes by the leaders themselves, and at other times in their presence, on not one single occasion do we find the slightest speech, or one single expression, directed to diverting the minds of the people from outrage—to diverting them from the acts which certainly followed, and which to the knowledge of these men followed.”

Probably the words “ on not one single occasion ” may have to be slightly qualified, as the evidence which I shall lay before you now stands, because it may be that in one or two speeches there is some slight reference to—I cannot call it condemnation of—the outrages and crimes committed. But, at any rate, the statement is proved that in the vast majority of instances there is language inciting to crime without the least condemnation of the conduct that might reasonably be expected to follow. Now look at page 77. You will there find these words :—

“ Now, gentlemen, I will take you to Castleisland, in which also murders took place, and in which I shall be able to prove before you there was practically no disorder and no disturbance of any kind until the Land League meeting took place. In the year 1880

Castleisland was honoured by a speech from no less a gentleman than Mr. Biggar, who was one of the leading Parliamentary allies and Land League treasurer. At that meeting were present Mr. Arthur O'Connor and Mr. Harrington, of the *Kerry Sentinel*. I do not like to make mistakes, but I think it will turn out that that is one of the Mr. Harringtons who is a member of Parliament now. Now let us look at what Mr. Biggar said in his speech at Castleisland on the 10th of October, 1880."

I need not read the speech now, as I shall have to read it later on. I only indicate it as a charge made in our particulars. Then on page 82 please note these words :—

"Gentlemen, I have occupied a very great deal of your time in describing to you what I am about to prove in connexion with this Land League. I shall call before you, unless any admission by the plaintiff or his counsel makes it unnecessary for me to do so, witness after witness—I am afraid a great many—who will prove the speeches. It will be proved before you that these speeches were made in the presence of members of Parliament who are now spoken of as being the trusted allies of Mr. Parnell and the constitutional leaders, together with Mr. O'Donnell. I shall prove before you the occurrence of these murders. I shall prove before you that the murders followed these speeches in the way I have been describing, and that no apparent cause of any sort or kind has ever been suggested, or can ever be suggested, with all the ingenuity of my learned friend and those who assist him, for this extraordinary outburst of crime, excepting the agitation of the Land League, which had been started in the autumn of 1879, and continued throughout the whole of the years 1880 and 1881."

Your Lordships will remember that that passage was referred to by Sir Charles Russell at the preliminary meeting. I refer to it now for the purpose of indicating again that the charge was there made, and to say that we shall attempt to produce evidence to justify the allegation so made on behalf of *The Times*. Now I refer to page 109 :—

"Now, gentlemen, Mr. O'Donnell has told you that for years before 1887 he had regarded the Parliament system with repugnance. He told you through his witnesses and by his letters that he had left even the

Parnellite party and had nothing whatever to do with the Parnellite party in 1883, and yet, writing in 1887 of an organization which existed in 1872 and 1880, before Mr. O'Donnell joined it, and of an organization which had nothing in the world to do with the Parliamentary action of Mr. O'Donnell, he thinks fit to suggest, for the purpose of maintaining this action, that *The Times* alluded to him when they talked about this organization. 'Mr. Gladstone declared that "with fatal and painful precision crime dogged the steps of the Land League."' That, you are aware, is a quotation from Mr. Gladstone's speech in April. 'Again he pointed out that the League depends upon boycotting, and that the sanction of boycotting "by which alone it can in the long run be made thoroughly effective, is murder."' That, again, is a distinct quotation from Mr. Gladstone's speech in April. If it is not true, let them say it is not true. *The Times* had not initiated this statement."

I refer to that as showing what was charged in the proceedings in the case of "O'Donnell v. Walter." The proof of that statement will, of course, depend upon the evidence which I shall have to lay before your Lordships later on. On page 112 you will find these words :—

" 'What is the basis and sanction of the suitable organization except the murder, not of landlords, but of tenants, which Mr. Gladstone found to lie at the back of boycotting? When Mr. Biggar confines himself to not recommending the murder of landlords, is it in any degree wonderful to find outrage and murder varying in the direct ratio of the frequency of League meetings? But all these gentlemen might have been more discreet in their reported utterances without affecting the case in any way. It is not necessary to show that the leaders of the Home Rule movement have directly incited to crime. It is enough if it can be shown'—please note this—'that the organization which gives them their power, which elects their nominees, and which pays their salaries derives its power in turn from the systematic perpetration of crime. That, at any rate, is proved up to the hilt. There are volumes of evidence, and it is being added to every day.' "

The passage goes on :— "The whole organization of

the Land League and its successor, the National League, depends upon a system of intimidation, carried out by the most brutal means, and resting ultimately upon the sanction of murder." On page 118 we read :—

"The Land League, he argued in the following month (like the National League to-day), relied upon the 'combined intimidation' of boycotting to enforce its decrees, 'and the sanction of boycotting, that which stands in the rear of boycotting, and by which alone boycotting can in the long run be made thoroughly effective is the murder which is not to be denounced.' "

I may pause here to observe that I have some remarkable facts to bring to your notice with reference to undiscovered crime, for, owing, as we suggest, to the action of the Land League and the National League, criminals enjoyed immunity from punishment. On page 129 let me draw attention to the following passages :—

"We have seen how Mr. O'Donnell's 'constitutional organization' was planned by Fenian brains, founded on a Fenian loan, and reared by Fenian hands; how the infernal fabric 'rose like an exhalation' to the sound of murderous oratory; how assassins guarded it about, and enforced the high decrees of the secret conclave within by the bullet and the knife. Of that conclave to-day, three members sit in the Imperial Parliament, four are fugitives from the law; against one a true bill for murder stands recorded; all the exiles consort with professed assassins since their flight. It remains to show that the 'distinguished representatives' at home have continuously maintained their relations with the murderers who fled and the murderers who harbour them. In Parliament and before English audiences Mr. Parnell and his lieutenants have repeatedly denied their American accomplices. They ignore the secret history of the Central Executive. The memories of Brennan, Egan, Sheridan, and Boyton are cherished in silence. They never mention John Walsh, their chief organizer, or Frank Byrne, their secretary. The feats of these heroes in 'the campaign' are shrouded in oblivion. But Ford and Finerty they discuss with the assurance of calumniated innocence. Ford, indeed, did at one time give them some little help. His services, however, were trifling; his paper was 'merely used as a medium for subscriptions,' and

the Parnellites would have got the money ' all the same if the *Irish World* had never existed.' " If you turn to page 144 you will see that, after reading the manifesto signed by Mr. Parnell, Mr. Dillon, and Michael Davitt after the Phoenix Park murders, I said :—

" I think you will see this manifesto, which would go broadcast through Ireland, would be a direct attack upon the secret part of the Land League organization, that part of the Land League organization which had been promoting outrages, which had been promoting boycotting, and which had been winking at murder."

I think now that I have justified the charge as to the organization depending upon intimidation, carried out by the most brutal means, and resting ultimately upon murder. I shall have to call attention to a number of passages from speeches that have been made. On page 110 it will be seen that I said :—

" I have read to you two or three speeches, and you will hear more, in which those sentiments are enunciated by prominent members of the Home Rule party in the sense in which *The Times* referred to them. Nor is the turpitude of these incitements to crime in any degree reduced by the cold-blooded condemnation of murder sometimes resorted to by Mr. Parnell and others. When Mr. Biggar says that it is no part of the duty of the League to recommend the shooting of landlords, and when Mr. Parnell points out that recourse to such measures is unnecessary where there is a suitable organization among the tenants, it is needless to say that they inflame rather than calm the evil passions of their hearers. "

The allegation is that murder followed the delivery of these speeches. I said at the trial of " O'Donnell v. Walter " (page 73) :—

" I shall be able to show you by picking out particular districts that certain speeches were made and language used at those meetings to people already inflamed by suggestions of their ill-treatment of the most inflammatory character, and I shall show how murders followed those speeches, and yet speeches again repeated, and this conduct which I venture to term diabolical, continued for a period of certainly two or three years. I say if I establish this by the evidence

—which, though it may be long to take and record, it is necessary should be recorded—I shall make good that part of the libel which it is in one sense necessary for me to make good—namely, that of the organization of whom we spoke the allegations were true.”

Then there are direct references to some of the gentlemen concerned, charging them with remaining in communication with persons who had defended conduct such as that which I have described. I think it sufficient for the purpose of justifying this particular allegation to call attention to pages 73 and 74. Now as to the connexion with the party of violence in America. On page 82 you will find :—

“ It was resolved on the 21st of October, 1879, that Mr. Parnell should proceed to America in order to obtain assistance ; in the course of my evidence I shall prove before you, by statements made in the official organs of the Land League party, that Mr. Parnell did proceed to America. I shall be able to show you, I think, beyond all question that he was in communication with men named Ford, Devoy, and with a man named Walsh, and I think I shall be able to show you that about the 11th of March, 1880, when Mr. Parnell was present in New York, the American Land League was formed, and, gentlemen, although I am not certain at the present time whether I shall be able to prove the exact amount, you will have, I think, no doubt whatever that they are very large sums of money which came over from the American Land League to the Irish Land League.”

Then on page 115 :—

“ In December Mr. Parnell and Mr. Dillon sailed for America, and immediately communicated with Ford and the principal Fenian ex-convicts. It is unnecessary to dilate upon the speeches Mr. Parnell delivered on his tour. They were frankly treasonable. Their spirit may be divined from the celebrated passage in which ‘ the constitutional leader ’ revealed his ‘ ultimate goal.’ ‘ None of us,’ he declared, ‘ whether we are in America or in Ireland, or wherever we may be, will be satisfied until we have destroyed the last link which keeps Ireland bound to England.’ Mr. Parnell found that sentence troublesome last May, and, not for the first time, disclaimed it as a calumny. Two days later a correspondent confronted him in *The Times*

with the special report published in the *Irish World* of March 6, 1880. Ford himself has since gently rebuked and magnanimously pardoned the moral cowardice of his leader's denial." At page 116 is a passage to which I am about to refer. It is :—

"The general election of 1880 suddenly interrupted Mr. Parnell's tour. He left his interests in America in the hands of Ford and the Fenians. Soon the organization in Ireland assumed its regular shape. The 'executive committee' controlled the whole machinery, and among the most active members of that committee were Mr. Parnell, Mr. Sexton, and later Mr. Arthur O'Connor, Mr. Patrick Egan, treasurer to the League, Mr. Thomas Brennan, secretary to the League, Mr. Michael Boyton, 'chief organizer' in Leinster, and Mr. P. J. Sheridan, 'chief organizer' in Connaught." At page 150 there is a passage which has not been given which I think I ought to read :—

"In view of the desperate, but futile, efforts still made to draw a distinction between the obstructive and the destructive wings of the Home Rule army, it is very interesting to note how inextricably their affairs are intertwined in the financial department. The two most important collections made by Ford were the Land League Fund and the Skirmishing Fund." "This is not alleged to be libellous."

One more passage merely, at page 158. My learned friend (Mr. Graham) points out that I ought also to have referred to the lines at the top of page 151, to show that the money which was diverted from the proper objects of the Skirmishing Fund went to buy up a couple of newspapers amalgamated to form *United Ireland*, which is the recognized organ of the Irish Land League. My Lord, there are a number of references to persons by name, many of whom, as I have already told your Lordship, are persons not named in the particulars. I do not know whether my learned friends desire that I should go through "Parnellism and Crime" at the present time for the purpose of showing that those passages were justified by passages in "Parnellism and Crime." If it is of the least assistance to your Lordship or my learned friends, we have prepared lists for the purpose of showing the passages which range themselves under the same head with the passages in "Parnellism and Crime." They

have been indicated in the particulars, which have been prepared with the utmost care.

SIR C. RUSSELL.—I do not complain of what is contained in the particulars. My complaint is of what is not in the particulars. I shall explain what I mean by that to-morrow morning.

THE ATTORNEY-GENERAL.—I can only, of course, deal with what is in the particulars. I only wish to indicate that any assistance I can give to your Lordships I should be delighted to give. I am only referring to it in this detail in view of what your Lordship said on the last occasion—that you had not read “Farnellism and Crime.”

THE PRESIDENT.—I have read every word since, and I may add I am also in possession of a very minute index to the whole.

THE ATTORNEY-GENERAL.—That will relieve me from the very irksome and laborious task of reading the passages.

THE PRESIDENT.—I think it would lead to some accommodation with your learned friend (Sir C. Russell) if you supplied him with the particulars to which you refer.

THE ATTORNEY-GENERAL.—I shall see that he has the particulars of the passages to which I have referred. I think I have justified the statement that I have made, that these charges and allegations are contained in “Farnellism and Crime,” and after the admission of my learned friend —

SIR C. RUSSELL.—I did not make that admission. I said I did not complain of what was in the particulars, but of what is not in them.

THE ATTORNEY-GENERAL.—I do not know what my learned friend means. Your Lordships' orders were that particulars of the charges and allegations which were made should be given. These particulars have been given, and I am prepared to justify—to prove every single one of those charges and allegations contained either in the pages of “Farnellism and Crime” or in the speech I made as counsel for the defendants in “O'Donnell v. Walter.” If that be seriously disputed, I will go on with my somewhat monotonous and laborious task of reading from these pages. If it be not disputed, I am content to leave it there.

The PRESIDENT.—So far as we are concerned we are of opinion that you have, in fact, sufficiently indicated the charges contained in the particulars.

The ATTORNEY-GENERAL.—I now propose to give to your Lordships an outline of what I am about to prove with regard to the connexion of individuals with the organization to which I have referred. I propose to start practically with the formation of the Land League in 1879. Prior to the formation of the Land League there had been, as your Lordships know, as a matter of common knowledge and of history, the Fenian agitation, conspiracy, and organization, which had to a great extent failed, and it is essential that your Lordships should understand in this connexion what it was that drew together the various strands, as I have called them, of the organization and enabled them to work for the common object. The Fenian organization, as I gather from the authorities to which I have referred, had apparently failed because it would in no way assist the occupiers of the land. There undoubtedly were a certain number of Fenians in various parts of Ireland. I do not know how far it will appear whether any particular individuals who are charged were themselves Fenians, but it will appear clearly to your Lordships that somehow or other a fresh departure was made at the time of the formation of the Land League, and we think it essential, in order that you may understand the position, that you should appreciate what our view is with regard to the causes which led to the combination. America is the chief source of supply. It will be proved beyond all question—in fact, I do not know, when the proof comes to be thoroughly investigated, that those against whom the charges are made will seriously dispute it—by far the largest amount of money came from America. The money in America was, as I have already indicated, collected to a large extent through papers—through the agency of men who advocated the most extreme measures, who advocated the use of dynamite, and the most violent steps for the removal of any obnoxious person. That was the one element which was necessary to combine with the party who did not sympathize altogether, or to any great extent, with extreme measures. Then there were in Ireland the occupiers of the land, and, in their connexion with the occupiers of the land, it was necessary to satisfy the American subscribers that by

coupling their agitations and organizations with the agrarian agitation and organization their end—that is to say the end for which they were working—would be effected ; and, accordingly, as your Lordships will see after I come to deal with the speeches delivered under the auspices of the Land League, and by many of the gentlemen whose names are mentioned in these particulars, the landlords were to be the persons against whom the attacks were to be levelled ; and so the interests of the tenant occupiers were excited because they were led to believe that through this agitation would come to them direct benefit in the land being obtained at a very low rent, or, in many cases, at no rent at all ; and it will appear, unless contemporary record is absolutely untruthful, that time after time those who were addressed at those meetings were told that the effect of the agitation would be to drive the landlords out of Ireland altogether. That was the way in which, as it will be shown, the interests of those who were occupying the land were drawn in the same direction as those who were contributing to the funds. Then, my Lords, came the question of how this organization or conspiracy was to be rendered effective, and it will be proved—I do not yet know whether it will be disputed—that one of the principles that was advocated by the Land League was this—that no evicted land should be occupied and that anybody who took possession of a farm which should become vacant by eviction or who took possession of another man's land should be treated as being one of the worst of criminals, should be subjected to treatment such as I shall have to describe when I refer to the speeches themselves, and should, if necessary, be removed from the face of the earth. Unless the evidence which we have to lay before you is absolutely mistaken, unless the witnesses have been completely misleading those to whom they have made statements, it is clear that time after time the excited hearers at the meetings were told that if any person was found base enough to take an evicted farm steps were to be taken against him which would lead, and did lead in many cases unfortunately, to his being removed from the place where he was, removed by most violent means, and, if necessary, by murder. Now, my Lords, it was further necessary that this organization should be practically universal, and accordingly, after a date

which I shall mention, particularly in the years 1880, 1881, and 1882, those gentlemen whose names have been mentioned in the particulars were parties to the starting of what were called Land League branches by the hundred in every part of Ireland. The duty of those who carried on those Land League branches was that they were to carry out the decrees of the Land League in the way I have described—by making it impossible for anybody to take an evicted farm, and by making it impossible for a landlord to obtain any return from an evicted farm—the result being that the American section were informed and led to believe that if the money they were subscribing was used for the purposes to which I have referred—that is, to spread this wholesale and terrible intimidation among those who occupied the land—the most fatal blow would be struck at the landlord garrison, who were supposed to be the English garrison in Ireland. There is no doubt that there has prevailed, and there has been recognized as prevailing in every Irish tenant, a land hunger. Those who have studied history and the evidence in this particular case know that the Irish peasant is most eager to occupy land. Nothing would prevent his occupying land except dire terror and absolute intimidation—intimidation to such an extent that he was fearful for his life and for his existence. Your Lordships will find, when I come to work this out by evidence, that, unless the organization was prepared to go the length of saying, “You occupy that land on peril of your life,” it would have ceased to be an effective organization, and I shall show that these gentlemen who spoke, and their agents who, with their knowledge, were advocating the steps to which I have referred, did practically indicate to their hearers that they were not to allow any person to be so base, such a brute, such a criminal, such a loathsome object as to remain in possession or take possession of an evicted farm; and those individuals who thought fit to take possession of an evicted farm were subjected to grievous outrages, and were, not infrequently, murdered. The actual date at which we suggest this organization came into existence was at the end of the year 1879. And who were the founders of the Land League? Your Lordships will find that the president was Mr. Parnell; the secretaries were Mr. Kettle, Mr. Davitt, and a man named Brennan: the treasurers

were Mr. Biggar, Mr. O'Sullivan, and Mr. Patrick Egan. Your Lordships will probably know, from the enumeration of the names, that those are men whose names recur frequently in the pages of "Parnellism and Crime." I shall have to say a great deal as to what has become of these men, where they are now, and where they have been since certain material dates, but Brennan, Egan, and some others practically have not been in this country since a date in 1883, to which I shall call attention. Now, my Lords, these leaders of the Land League employed and engaged organizers to go through the length and breadth of Ireland, and I shall mention to your Lordships the names of some organizers who were employed by the Land League, and who, I shall ask your Lordships to come to the conclusion, were without doubt paid by the Land League, and who had no other visible means of existence; some of whom abandoned other occupations for the purpose of becoming Land League organizers and agitators. I shall mention some of the principal names in connexion with that part of the work which was essential to be performed in order that the conspiracy or organization might be effective; P. J. Sheridan, who was a publichouse keeper at Tubbercurry, and was one of the principal organizers in the west; Mr. J. Boyton, the son of a Leinster shopkeeper at a place called Rath-na-Glen; P. J. Gordon, who was a shoemaker in county Mayo; J. W. Nally, who had no fixed occupation; Matthew Harris, now a member of Parliament, but then a builder at Ballinasloe; J. W. Walsh, a commercial traveller; T. Brennan, a secretary; a man named Kelly, who was an organizer in Tralee; J. P. Quim; and a schoolmaster of the name of Sullivan. I do not wish to speak positively, because there may be a mistake as to some one or two; but I believe that, without exception, these men had no practical interest in this land question. They were organizers for the Land League with the knowledge of Mr. Parnell, of Mr. Dillon, of Mr. J. O'Connor, and of Mr. Redmond, mentioning those which come first into my mind, and of many others whose names I shall enumerate. I shall prove before your Lordships that the work of the Land League during the years 1881 and 1882 was the starting of branches in every part of Ireland where there was the least chance of their influence being

felt, for the purpose of rendering it impossible for landlords in that district to collect their rents or making it absolutely impossible for any land from which any tenant had been evicted to be occupied by any man, and providing for the punishment of those who were rash or courageous enough to resist the influence and intimidation of the League. About the same time—namely, about the beginning of 1880—Mr. Parnell visited America. He went with Mr. Dillon, and it will be proved that his expenses were paid by the Land League. It is not a very material matter, but there are several matters in connexion with the relations between Mr. Parnell and others of his party and those in America which make it not unimportant that the way in which these expeditions to America were conducted should be proved before your Lordships. I think it will appear clearly that from that date there was for a long time harmonious action between the American section and the Land League at home, and for this reason, that the American section were satisfied that their aims and objects would be effected by those who were keeping up what they termed the war against England, and who were making reprisals against those who occupied land contrary to the will of the Land League. The fact is that the Irish nation were constantly spoken of as being at war with the English nation—a war being carried on against the tenants who would not carry out the behests of the Land League—a war in which the landlords who were murdered were treated as victims in what were spoken of as the victories obtained by the Irish over the English nation. Your Lordships will find on the evidence that Mr. Parnell and Mr. Dillon, the envoys to America, were in communication with Devoy, a convicted Fenian, and also with a man named Walsh; and shortly after Mr. Parnell went to America there was formed an American branch of the Land League, of whom a very considerable number of members were either selected, nominated, or recommended by Mr. Parnell himself. That Mr. Parnell had a great deal to do with the formation of the American Land League, if my instructions are correct, there can be no sort of doubt. Who was doing the work of the Land League at home? I have mentioned Egan, who was the treasurer in conjunction with Mr. Biggar, and Mr. Davitt and Mr. Brennan were secretaries; but in the beginning of 1881 Mr. Davitt

was arrested, and then occurred an event of very considerable importance, to which, in connexion with certain other matters, I direct your Lordships' especial attention. It was about the same time that the warrant for the apprehension of Mr. Egan was issued, at the beginning of the year 1881, in connexion with charges of the same kind as those in respect of which Sheridan had been arrested. The warrant was issued under the Special Act in force under which the Habeas Corpus Act was suspended. The result of the warrant being issued was that Mr. Egan left the country and went to Paris—I am referring merely to the beginning of 1881. On Mr. Egan going to Paris, from time to time a considerable number of the other leading members of the Land League were found in Paris with him. Mr. Parnell was there, Mr. Matthew Harris was there, Mr. O'Leary, whom I have not before mentioned, was there, and some others were there. The mere fact of people going to Paris is nothing; they may go there for pleasure or a thousand things, but in connexion with what I shall have to lay before your Lordships, I shall submit to your Lordships that the reason why Mr. Egan was in Paris in 1881 was because it was not safe for him to remain either in Ireland or in England. There will be some evidence forthcoming as to what was the business which took Mr. Egan to Paris, and Mr. Matthew Harris, and Mr. O'Leary, and Mr. Parnell, and some others. So far as I know, Mr. Matthew Harris was nothing more than an organizer of the Land League. Beyond all question, I think Matthew Harris was in communication with Mr. Egan at this time as an organizer of the Land League, and for no other purpose. I shall also be able to show that Matthew Harris was drawing considerable sums of money from Mr. Egan, sometimes as much as £20 or £30 at a time. I am not at present dealing with the question how that money was expended, but am simply giving the outlines of the evidence, on which I shall ask your Lordships to come to the conclusion that Mr. Harris, Mr. Egan, Mr. Parnell, and others to whom I have referred were in Paris on the business of the same conspiracy of the same organization which had previously been carried on in Dublin, and your Lordships will also find, I believe, that during this time Egan continued to be the treasurer of the Land League. There may be some explanation of this meeting in Paris of which we have no

idea. I am only indicating what I am prepared to prove. At about the same time certain correspondence passed which was put in evidence at the last trial, and some of that correspondence—all of it, in fact—I shall have to put in evidence before your Lordships, and I wish to refer to one or two letters. On the 24th of February, 1881, Egan being in Paris, this letter was written by him. I am not at present able to tell your Lordships to whom, although full information will probably be given in the course of the inquiry. The letter was in these terms :—

“ 24th Feb. 1881

“ My dear Friend—Write under cover to Madame J Rouyer 99 Avenue de Villiers. Mr. Parnell is here and will remain for about a week. I have spoken to him about further advance for the ‘ A ’ fund, he has no objection and you may count upon it. All goes well. We have met Mr O’L and other friends who are here, and all are agreed that prompt and decisive action is called for.

“ Yrs vy faithfully

P. EGAN.”

My Lords, I notice in reading the shorthand note of the preliminary proceedings before your Lordships, that Sir Charles Russell said that I suggested that the “A” fund was an assassination fund. I did nothing of the kind. I said distinctly that I did not know what the “A” fund referred to ; but this I did say, that if Mr. Egan’s presence in Paris was for an innocent purpose, I asked why it was necessary to write, not direct to him, but to write under cover to the person whose name is given. And I also call your Lordships’ attention to the reference to “O’L, and other friends who are here, and all are agreed that prompt and decisive action is called for.” On the 3d of February Davitt was arrested ; on the 15th of March Sheridan was arrested. What we suggest to your Lordships is that the “ prompt and decisive action called for ” was the continuing of the agitation in the parts of Ireland where the power of the League was not already so powerful as they wished it to be, and it refers to steps to be taken by Sheridan and other organizers for the purpose of making the power of this conspiracy paramount wherever they could, and to enforce its decrees in the way to which I have already referred. There are certain other letters which passed in the same way, but which

I do not wish to read just now, as they are not material except with reference to handwriting. Of course, I do not know at the present time what case is going to be made with regard to these letters of Mr. Egan. Whether it is going to be suggested that they are forgeries or not. If so, your Lordships will have to inquire into that. If they are forgeries, there are four or five people whose handwriting has been forged. If they are genuine letters, I shall ask your Lordships to come to the conclusion that Egan was in Paris consorting with persons named in the particulars for the purpose of carrying on the business of the Land League, of the conspiracy, or whatever it may be called; further than that, my Lords, that the presence of this man at the time that certain events were going on in Ireland and the receipt of moneys from Mr. Egan by Mr. Harris at this time show that the position of Mr. Harris was that which I have indicated as being an organizer of the Land League, and a person who was carrying out the particular line of conduct which I have suggested.

At this point the Court adjourned for luncheon. On its re-assembling,

The ATTORNEY-GENERAL continued,—When your Lordships adjourned I had read that letter from Egan of the 24th of February, 1881, and mentioned that I should put in other letters which passed in 1881 with reference to Mr. Parnell being in Paris, and showing that Egan was in Paris at the same time. They are only really of importance as to subsequent questions of handwriting. I can very briefly pass over incidents of 1881 until I have touched that part of the subject which relates to what was being done by the Land League and those who are mentioned in the particulars during the years 1880 and 1881. I desire to break the story by giving first a statement as to what was going on prior to the time that Mr. Parnell was in prison, and showing what was being done after Mr. Parnell and certain others were in prison. In August, 1881, *United Ireland* was started. It was edited by Mr. William O'Brien, and Mr. Egan and Mr. Parnell were the principal shareholders. It absorbed three other papers known as the *Irishman*, the *Flag of Ireland*, and the *Shamrock*. I am not quite sure whether one of those did not continue for some time as a separate paper, published under the

same direction as *United Ireland*. From the month of August, 1881, *United Ireland* was to a great extent one of the recognized organs of the Land League and its organization. I have told your Lordships that it was on the 13th of October that Mr. Parnell was arrested and put in Kilmainham, with other suspects, whose names will come up in relation to later incidents. I am now anxious to make good at once what I may call the history of the doings of the Land League, prior to the time that Mr. Parnell was put in prison. I admit that the task is one of very considerable difficulty, because of the enormous mass of matter which will have to be put in evidence before your Lordships. You will notice by the particulars a very large number of speeches. It would be absurd for me to occupy time by reading the whole of those speeches to your Lordships. I propose, therefore, to take certain counties, and instead of merely multiplying the number of speeches and of outrages, I propose to bring before your Lordships as directly as I can what were the speeches being made to which practically all the gentlemen to whom I have referred were parties, in which some of them took part, and what was the consequence of those speeches. I propose to begin with the county of Galway, though I shall refer to Mayo, Clare, Kerry, and possibly Cork, unless it may become unnecessary, in the course of making clear my statement. In the first place, I will give your Lordships the general features of what I am going to show. I am going to show, in a large number of instances, the, practically speaking, quiet state of things prior to the delivery of these speeches. I shall show your Lordships, by overwhelming testimony, that concurrently with the delivery of the speeches and following directly thereon outrages increased both in number and violence, the police force being required enormously to be increased, and, in fact, the ordinary relations between the authorities and those who lived in the parts named were absolutely disturbed and completely disrupted. Further, I shall show that there were practised on the people who had offended against the decrees of the League, who had not carried out what was supposed to be the law of the League, punishments of the most cruel, vindictive, and disgraceful character. I mentioned to your Lordships before the adjournment that one of the main tenets of the Land League was that no vacated land must be

taken possession of without the consent of the Land League. Now, I ask your Lordships to let me picture the state of Galway in 1880. Your Lordships will be able to observe whether I have unduly exaggerated the matter when I read a series of speeches which occurred in Galway in 1880 and 1881, and when I describe the condition of the county before and after those speeches were made. I will in no case, as far as I know, read a speech except those which were made by those who were the recognized organizers of the Land League, or who were persons actually named in the particulars, or of persons for whose conduct I shall be able to show that the persons named in the particulars were responsible. I shall call your attention to speeches made in Galway.

SIR C. RUSSELL.—My Lords, I ask for copies of the speeches from which the Attorney-General is reading.

The ATTORNEY-GENERAL.—As far as I can I will hand to my learned friend copies of the speeches which I read.

SIR C. RUSSELL.—Justice requires that we should have the speeches from which only passages are read, or other speeches by the same persons, which might qualify what the Attorney-General relies upon.

The PRESIDENT.—I cannot tell anything about that. I can only deal with what the Attorney-General puts in. There must be another copy of these speeches, and it could be printed by to-morrow morning along with the reporter's notes.

SIR C. RUSSELL.—I was asking my learned friend not merely for the extracts, but for a copy of the speeches which I see are here in large volumes.

The PRESIDENT.—I understand that the Attorney-General is willing to supply a copy.

The ATTORNEY-GENERAL.—My Lord, I am opening my case, and I appeal to your Lordship's experience as to what is usual. I say that as I open the case, I will of course hand a copy of each speech that I propose to read at the time to my learned friend.

The PRESIDENT.—The Attorney-General is entitled to open his case, and if he does so improperly he will be responsible.

The ATTORNEY-GENERAL.—My Lord, I am responsible for the manner in which I open my case. This is a

speech at Glennamaddy by Mr. Nally, a well-known organizer of the Land League. On the 16th of May, 1880, he proposed a resolution declaring that they would regard a landgrabber as the enemy of their country, and pledging themselves never to occupy a farm from which a tenant has been evicted or surrendered for non-payment of rent.

SIR C. RUSSELL.—I do not find this speech enumerated in the particulars given, and I do not see anything in my friend's statement so far to connect any of the persons who are scheduled as persons here incriminated as having been present at this meeting or taken part in it. Nor do I gather that these speeches, of which this is an example, have been set out by the defendants in "O'Donnell v. Walter" as being documents in their possession.

The PRESIDENT.—I should not interfere with the Attorney-General's discretion in opening the case. In addition to that, this will be much better reserved for the discussion which I am afraid you are going to raise to-morrow morning.

SIR C. RUSSELL.—I gladly end the discussion if it is inconvenient.

The ATTORNEY-GENERAL.—I have not shown any undue sensitiveness at the interruptions of my learned friend. I have a responsibility in opening this case. If my learned friend has the courtesy to listen I am going to show that this man is one whose services both Mr. Parnell and Mr. Dillon pointedly referred to.

The PRESIDENT.—The Attorney-General must be allowed to open the case in his own manner.

The ATTORNEY-GENERAL.—Mr. Nally proposed a resolution pledging themselves never to occupy the farm from which a tenant had been evicted, or which had been surrendered for non-payment of rent. He said that—

"They should join together in the hillside and valley and everywhere until they get rid of that accursed, hated system of landlordism. Come forward, then, like men, and put those blasted landlords in the same position as they themselves have been for a number of years. What I come here for is this—to say that every one amongst you will join the Land League until we put away landlordism and every 'ism'; I don't care a damn about all 'isms.' It is well

known in this country that against landlordism I will work tooth and nail, and until I see those scoundrels called landlords banished in oblivion."

At the same meeting John Kelly spoke. He said :—

"If the people were but loyal they would soon manage the landlords. I mean if a man was evicted that no man would meddle with his land . . . and make him a black sheep in the parish. They may return members to Parliament, but we can have a Parliament at home by establishing branches of the Land League. Let the land be left waste. Let him that does be pointed out at market and fair. Let no one buy or sell with him. The chief object of this meeting is to put down tyrants."

Mr. Kilmartin spoke, and I shall prove that he was frequently on the platform and made speeches with many gentlemen mentioned in the particulars. He said :—

"Join the Land League ; never take a farm from which a man is evicted. Ostracize the villain who would do such a thing. There is not a greater criminal ever swung on a gallows than the man who would take that land. Point to him as he goes the road, and say, 'Behold the villain.' Would you not hunt a mad dog from society ? The desperate villain who would bid for the land is 50 times worse than the mad dog. With regard to rack-rent, where is the tenant who is not rack-rented ? Offer a fair rent, and if they don't take it put it in your pocket."

Mr. Fitzpatrick spoke. He said :—"What is the end proposed to you by Chas. S. Parnell, the uncrowned prince of Ireland ? Keep a firm grip of your holdings, feed your wife and children first, and the landlord after." On the 25th of July, 1880, in the same year, at Milltown, in county Galway, Thomas Brennan and Mr. P. J. Gordon, one of the organizers of the Land League, spoke. He said an onslaught had been made on the system which degrades labour in Ireland. (Great groans, and cries of "Down with them," "To hell with them," "Card them.") I shall show the importance of "Card them" by and bye. "That system is not dead, but we shall continue to strike until we bring about a state of affairs when labour shall be the recognized system. We are in open insurrection against landlordism." The speaker

then referred to a local landlord, whom, however, he did not name. The omission was supplied by some one in the crowd, and at the mention of his name (Mr. Bodkin) there was groaning, and a voice said "The coffin is too short for him, his legs must be cut." I shall have to describe an outrage in this particular district very shortly following this meeting. The speaker continued, "When I say 'Ireland a nation' I mean something more than a green flag flying from Dublin Castle. The highest form of Government is a Republic. You may establish an Irish Republic on Irish soil." Your Lordships will find running through all these speeches that element of which I spoke this morning as being the element which joined together the American branch of the organization with the other branches of the organization, as being a determination to complete separation from England. Mr. P. J. Gordon said they were assembled to denounce the landlords who had plundered them of their lands, determined to denounce the land robber :—

"If they are determined to keep a firm grip of their homes they will not allow Bodkin to drive them from their homes. He carried out a poor, unfortunate woman; there was no crime against her but following the doctrine laid down by C. S. Parnell, and that doctrine I will preach to you, that every man and woman shall keep a firm grip on the land. If I were evicted I would say, Oh, God! you have created this land for me, and sooner than die a victim I will die on the spot. If you die in the workhouse you have no one to go to your funeral (groans for John Barrett, the robber). If you fight, fight for the land of your country; if you draw a sword you would not be begging yellow meal. You will get measures by determination; as Mr. Gladstone said, the only measures given to Ireland were given by the Fenians. I do not want you to give a blow of a stone to the landlords, but you may do it if you like. If your land were taken to-morrow, would you not harbour revenge in your bosom? Let there be no scoundrel among you to take land. Have the curse of God on such a man."

The speaker then alluded, by name, to a land-grabber named Billy M'Hugh, and told the people they knew him, to shun him, and have no connexion with him. He advised the people to watch every man who will

dare to take a scythe "to cut the grass on evicted farms," and voices from the crowd said, "We will cut the hands off him; we will cut the elbows off him." The reason why I refer to these interruptions is for the purpose of showing how these speeches were understood by the crowd. How they were understood will become self-evident when I come to read the story of the outrages afterwards. Your Lordships will find that persons' ears have been cut off, and other outrages perpetrated upon those who were named by the speakers at these meetings. The speaker then referred to some pending evictions on the property of Mr. Seymour, whom he also named and told the people to stick to the cabin; if they were good soldiers, the Land League would help them. If they were cowardly dogs, the League would not recognize them. "God says it is better for one tyrant to fall than that many should perish." "Keep a firm grip of the land; the man who dies under that system of robbery is a sneak, not a man." Then J. W. Nally, another speaker at the same meeting, said:—"Why do you allow land-grabbers to live; why do you allow them to exist? The only way I want you to put them from existence is this—don't speak to them, leave their corn and meadows uncut, and they will commit suicide without the pills." My Lords, I shall by-and-by be able to show your Lordships, from other speeches of Nally, that the "pills" referred to here are bullets, or shots, with which the land-grabbers are to be shot. The speaker went on to say—"Without unity and organization we cannot get rid of that blasted system of landlordism. Mind the land-grabbers." On the 19th of September of the same year a meeting was held at Riversville, county Galway, at which Mr. Mat. Harris, M.P., was present—my learned friend will find the names of all the members of Parliament present at these meetings in the particulars furnished to him. At that meeting Mr. M. M. O'Sullivan spoke, and he said they were assembled to stamp upon the land-grabber "the indelible stigma of public abhorrence." Where the land-grabber existed they should meet together to denounce him. (Cries of "Maim him," "Shoot him.") The speaker did not rebuke these expressions, but merely said, "No, do not speak to him at all; if he goes into chapel make a ring round him, that everybody may see him. Mr. Murty Hynes is destined to have his name

written in history with a very questionable, in fact, unenviable, notoriety. The only way that Mr. Murty can retrieve his name is to come upon this spot where we are standing and give up this farm." Now, my Lords, I wish to point out that Murty Hynes did give up the farm, and that a man named Dempsey, who took it after him, was shot dead for no other reason whatever. The speaker, in continuing, referred to the eviction of the chairman of the meeting from his holding on the property of Mr. Persse, of Roxborough, whom the speaker named and called him a traitor to the cause. He said "Let him be among you a marked man, a man upon whom every man will look as if traitor was marked with a brand on his forehead. Will you not thus mark him? Keep him with that brand on his forehead till he comes and makes restitution. I promise him that, though to-day I have restrained my tongue, for if I let it free the hideousness of the act would cause me to say words that may be harmful to the cause I advocate." Mr. Matthew Harris, M.P., in speaking at the same meeting, denounced Lord Dunsandle, who, he said, should be held up to public opprobrium. Had they made the country too hot for him in the sense of a country being too hot for the man who is hated by the people, the exterminations which had taken place on his property would never have taken place. He compared the landlords to the Indian tiger, and said that when a bad one, his agent or bailiff came to a district to put people out of their peaceable homes, they should all congregate as people do in Bengal and drive that worst of tigers from their midst. He also denounced the Persses of Galway, especially Burton Persse, whom he warned that the people "would not put up with his oppressions any longer." He referred to the grabbing of the farm by Murty Hynes and said that if he did not give it up he would find the public feeling not alone against him, but against every member of his breed.

SIR C. RUSSELL.—I should like to point out that Dempsey was not shot until more than a twelvemonth after these speeches were delivered.

THE ATTORNEY-GENERAL.—I am going to mention the date when Dempsey was shot. I must remind my learned friend that I am now merely opening the case. If he will refer to the pamphlet called "Parnellism

and Crime " he will find the whole story told in it. Your Lordships will judge how far that interruption was called for, and how far it was necessary to correct any statement I have made. It is quite true that Dempsey was not shot until a year after, but Murty Hynes did not give up the farm for some time, and when Dempsey took it after he had given it up he was shot for simply taking a piece of vacant land. I was about to say, when my learned friend interrupted me, if I may be allowed to resume the story I was telling, that on the 19th of September of the same year, at a meeting at Kilcouly, P. J. Gordon said that a Judge of Assize had observed " that the law was made clear that every man is bound to protect himself, even in taking down of the life of another." " If that is good law," said the speaker, " I say the tenants ought to adopt it. I tell you to resist tyranny, even at the cost of your life ; it is better to die fighting than die in the workhouse. I will ask you again to proclaim to-day, as honest men before God, not to give up your land without a struggle. Have no bowing and scraping before these land robbers and land bastards that surround this locality. Three cheers for O'Leary and Rafferty, and three cheers for every honest Fenian in Ireland. (Cheers.) If you are an honest Irishman you must be a Fenian ; if there is an honest Irishman that says, ' I wish to see my country free,' he must be a Fenian." My Lords, I have heard it suggested in connexion with this kind of agitation that the leaders of the Land League were protecting people from outrages, but I do not think that my learned friend, with all his research, with the immense stock of information at his disposal, will be able to point to a case where the leaders of the Land League have ever interfered to prevent a person who was called a landgrabber from being boycotted or intimidated, or, if the local branch of the Land League thought it necessary that he should be murdered, from his life being sacrificed. Of course, my learned friend will be perfectly entitled to show, if he can do so, that the picture I am presenting to you is inaccurate, but at present I am merely speaking from the information I have before me. On the 26th of September of the same year a meeting was held at Clonbar, in the county of Galway, at which were present James Redpath, the correspondent of the *Irish World* newspaper, published in New York ; J. W. Nally, to whom I

have already referred ; and P. J. Gordon. The extract I have before me of Redpath's speech is to this effect :—"The Southern States hate the English Government. Do the English people know the hatred that is against them in Ireland?" (J. W. Nally.—"Cheers for the Irish Republic.") P. J. Gordon said :—"If you take the bayonet and sword I am with you. If 30,000 men would join and strike one deadly blow you will be asked to do so. The English Government is guilty of murder and robbery. Organize, morn, noon, and night. Hold a firm grip of your homesteads. Keep the harvest. Form secret societies." What are these secret societies to be formed for—against whom are these speeches directed? The more these people imagined they were suffering from wrongs, the greater, I submit, was the wickedness of those who endeavoured to stir them up to acts such as those indicated in the speeches I am now reading to your Lordships. On the 10th of October, at Clerhaun, at a meeting at which were present P. J. Gordon, R. D. Walsh, and J. W. Nally, P. J. Gordon called upon the people not to take an evicted farm, and said if any of them should do so he would "pray that he shall send himself to perdition." He referred to Mr. Murray M'Greggor, of Blackree, as a land-grabber, and abused two other landlords, Mr. Bourke, of Ower, and Mr. Browne, of Clarne. A reference to landgrabbing provoked the interference of J. W. Nally, who observed that they should take him very quietly away, they knew where to put him. Gordon went on to say that Murty Hynes threw up the farm he had taken because the people assembled in their thousands, tumbled the ditches, and scattered the wall. R. D. Walsh, who was present as "the representative of the Irish National League," said, he had asked Mr. Hackett to join the League and that he (Hackett) replied, "No, get out." Walsh then called upon the people not to go into his house, because he is a tyrant. He also called for three cheers for Allen, Larkin, and O'Brien. These latter were the men who were tried, convicted, and hung for the murder of Sergeant Brett at Manchester, and for the relief of whose families and of those who had suffered for similar outrages the Martyr's fund was started. The speaker went on to say :—

"If the men here to-day do not do something for their country, their sons will curse their memory. A

am one of those who believe in the amelioration of Ireland with the sword ; still, I say, let all be combined and united first—missing—I say if you combine and organize and educate yourselves, the day is not far distant when the sun of liberty shall shine over your heads, and you shall rise before the world a glorious nation.”

J. W. Nally said that for any man who took an evicted farm they should “ come for the pills, and pills only.” (Voice, “ Holloway’s ointment.”) “ That (the ointment) is too mild, when the pills will go they will want no ointment.” “ Without organization we cannot get total separation from that hated, detested, and blasted Government that we are under at present.” He then referred by name to certain persons whom he accused with grabbing—viz., Bottrell, Pat. Davis, John Tully, Keane, Keating, and J. Casy. (Voice.—“ We have another name, Hackett.”) He implored the people to join the Land League ; and said he had seen Father Conway, who jumped with joy when he told him he was coming to that meeting, and said, “ Light was wanted in that country.” (A voice.—“ Christians will tell that, boys.”) He had also met Father Corbett in Claremorris, who told him to come there, break down every door, and let in the light. At a meeting held at Abbey Knockmoy, county Galway, on the 30th of October of the same year, P. J. Gordon referred by name to a landlord, Robert Henry, of Togher, whom he called a land-robber and land-shark, and whose name, he said, sunk deep into his heart. He said :—

“ When I see before me the motto of that independent nation, the stars and stripes, I hope and trust that the day will yet arrive when the stars and stripes will float on the hill tops of Ireland. (Cheers.) Some one might say that Gordon came here because he is well paid for it. I am not under any obligation to the National League or to you. I am well paid if the land-shark is crushed to the earth. Let none of you take a farm from which another has been evicted. On this day week I attended a meeting at Clonbur. I got a telegram from Father Conway. When I arrived there I had the pleasure of hearing that some great land-robber was murdered, or shot himself. The Government of England were murmuring because Mountmorres was shot. He denounced one D. B.

Leonard (a landlord) as the 'devil's bochel.' The Judges of Ireland are well paid, because the more crime is committed, the more pay they get for it." That is the first time I have ever heard that view put forward as to the manner in which Judges are paid. (A laugh.) What the Land League and its supporters meant by being thoroughly organized was that the Land League should be paramount. There is no necessity for further organization when everybody obeys the decrees of the Land League. Gordon went on to say :— "Although I am not here as a representative of the League in person, I represent the League in form throughout the country. Let every man and woman join it. Until Ireland is proclaimed a nation I shall work by day and write and plot by night. England is here only as a robber. There are land sharks in this village; treat them as you would a mad dog. Murty Hynes took a farm, and when he found that the people were hallooing him he gave it up, and to-day I had the pleasure of distributing 100 copies of the song composed for Murty Hynes." At the conclusion of this speaker's speech cheers were called for him, and as the reporter states, there was "great cheering." Father Cahill and Father Eglinton were also present at this meeting. John Hanly, another speaker, said :— "You have a young man at the bank of the parish who owns a property worth from £7,000 to £8,000 a year, and who admits he has a capital of £200,000 saved since he got the property. (A voice.—'He wants the steel.') He does not, he would not, even give one farthing abatement to his tenantry. (A voice.—'Why don't they shoot him?') He is the man that says he cannot afford to pay an agent with his £3,000 a year. (Groans, and cries of 'Walter Blake.') I say this here to-day, that the man who will go either to Galway or Mountbellew to pay in his rent to Walter Blake, I say on his way home that he may get what they call the Irish 'fearagurthok.' (Great cheers.) He does not know who he is making the money for. (A voice.—'For the devil.') He will die like Croesus. He will ask at the eleventh hour, give me a bit of gold to put into my mouth, in order to put into the coffin. (Voices.—'He won't get time; may be it's a bit of steel he will ask.') I tell Irishmen not to go out except at the point of the bayonet, and don't go out all if you die; die at the point of the bayonet." I wish to draw.

your Lordships' particular attention to this reference to Walter Blake, because I shall have to describe to you presently the circumstances under which he was shot. On December 19, 1880, at Ahascragh, in county Galway, Mr. Matthew Harris and Mr. Thomas Griffin were the speakers. The latter gentleman advised the farmers "to go in a body to their landlords, to stand before his office window and tell him to come out, and ask him why he brought them there. If he refused to take the rent at Griffith's valuation they should keep it and bank it. It was impossible for a landlord to crow over his tenants even if he had all the British bayonets at his back. The speaker then related what had occurred at Gurteen on the day previous to the meeting. He said there were four tenants on the property of the late Major O'Reilly, who had paid more than Griffith's valuation. 'Well, we summoned them to appear before the Land League executive; they came as submissive, they told us they acted in ignorance, one was fined 4s., another 3s., another 2s., another 1s.'" This, my Lords, is not the only instance of the League summoning these unfortunate tenants to appear and fining them because they have not complied with its decrees. Mr. Mat Harris on the same occasion said "he thought it might be in his power to get into the English House of Commons, but he would consider he was degrading himself as an Irishman if he entered that House." Circumstances, however, have occurred since which induced Mr. Mat Harris to enter the House of Commons. He went on to say that "he wanted to crush down bad men, and it was a mistake on the part of the tenants of Lord Clonbrock and Mr. Mahon to think they were coming there to denounce any man. He did not come there to hound down any good man, because they had enough of these vile exterminators. They had enough to denounce." He then referred to Judge Fitzgerald's charge to the grand jury at assizes, and to that Judge's observations regarding the action of the people "in taking a widow in the town of Askeaton and putting her back into her place." The speaker said that Judge Fitzgerald had declared this act to be a heinous crime, and his advice to the people was, "Long may you continue to violate the Judge Fitzgerald's charge." On March 17, 1881, at Loughrea, in county Galway, Mr. Dillon made a speech in which he said that "the only

way to break down the power of landlordism and to reduce rack-rents was to maintain the rule by which a man who goes and speaks alone and treats alone with his landlord will be looked upon as a traitor, and that he and his children afterwards will be considered such by the neighbours he has betrayed. We never told you we would face the police and prevent evictions by force. On the contrary, we told you from the beginning that we could not do that, because we have not got the means, and the armed men, and the discipline to do it. In many an Irish county some 50 farms were lying idle, and which no Irishman can be found base enough to put his foot in. These farms are warnings to the Irish landlords and a protection to the tenant. I tell you here to-day that the day which sees these farms occupied, and which sees you and any tenant on friendly terms, or having any dealings with the wretch who occupies an evicted farm, will see the ruin of your cause, and the yoke of landlordism on your necks. The advice which I would give you is this—Do not allow, do not consent to pay an unjust rent until you are compelled to do it. Remember, above all things, that whatever you do, whatever decision you come to, whatever terms you are prepared to offer to the landlord, the tenantry on every estate shall do the same thing together, and no man shall be so base or traitorous as to go and make arrangements for himself without consulting his fellow tenants, and not acting in common with them. I appeal to the young men of Galway especially to show a bold front to those tyrants (landlords). Teach them that the Irish race is rising all over the earth to-day; teach them that there is a power still in the Irish race to destroy Irish landlordism, and win back the fair fields of Ireland for the people from whom they have too long been kept." Your Lordships can appreciate, I think, the effect of such speeches upon ignorant and half-educated men. On March 20, 1881, Mr. Mat. Harris, speaking at Galway, said :—

"When men scatter ejectments in all directions, I say that not only we are bound to denounce them, but we would be morally wrong if we shut our eyes upon them. No man should bring forward crime, but when crime does come it is the duty of every gentleman to crush that crime. A great cry was raised about that word of shooting down partridges. Well, the land-

lords of Galway have not used any such language, they are too wise, they are too hypocritical. Don't they strike down the people more unmercifully than partridges? Lately I have travelled a great deal through the county Galway, and what do I find? I found the landlords scattering about their writs of ejectment, and I say to those assembled, what is the use of the Land League if I stand up without denouncing it?"

I refer to this speech not so much for the language used as for its reference to another speech. The expression "shooting down partridges" refers to a speech delivered by Mr. Matthew Harris, in which he said he would shoot down landlords like partridges. On March 25 of the same year at Killimore, Mr. Matthew Harris said:—

"When I came here to-day I was told by the rev. chairman not to indulge in personalities—that is, not to mention any names. But there are a good many landlords in this locality that I would like to speak about. My friends, before I conclude, I would like to remind you to beware of the landgrabber, and I am told there is one in this district named Kennedy. That vile wretch, keep away from him, for his breath is contaminated; he is a disgrace not only to the locality, but to all Ireland. I am told this wretch has six of the Royal Irish Constabulary guarding him every day. They march up and down with the plough as they tear up that poor widow woman's land. I am not enamoured with the constabulary, but still they are a respectable body of men in general; but when they are sent to do the dirty work, and when they are employed guarding such a wretch as this Kennedy, they will soon become as contaminated as himself. So keep away from this Kennedy as if he was a demon from hell. (There was great groaning at the mention of Kennedy's name.)"

On April 3, 1881, at Clifden, in county Galway, Mr. Matthew Harris again made a speech, in which he denounced Mr. Henn, County Court Judge. He said that a number of decrees had been taken out at County Sessions by a man named Robinson, who, when asked by the Land Commissioners whether a peasant proprietary could be established in Connemara, replied, "Do you want to establish the vermin on the land?" The speaker went on to say that when Robinson was

going about among them formerly without police protection they were no better than vermin. But let no one say he wanted any one to shoot Robinson. No, but there were other ways of dealing with him. In China there were people who were fond of the flesh of fat dogs, and there were dog butchers, and whenever one of those dog butchers made his appearance on the streets, all followed and howled after him; and when this Robinson would go among them every man, woman, and child should follow and howl at him. Then he told them something the Land League wanted them to do. They should resist eviction to the last; and when the sheriff came, if they could not resist the sale, some of their friends should buy their stock of goods for them, and the Land League would pay all legal expenses for them in every case, provided they belonged to it. But they should resist in a legal and constitutional way—Thig-um-thu? I understand, my Lords, that "Thig-um-thu" means "Do you understand?" It is, in fact, the Irishism for "You twig?" On April 7, 1881, at Carna, in county Galway, Mr. Matthew Harris said:—"You have a bad landlord in this locality, or landlady—Mrs. Forbes, I mean. I believe she wears the breeches. Mrs. Blake, of Rencooyle, is not better than a she-devil. The middleman is abolished in other parts of the country. Not alone have you bad landlords, but bad agents and bailiffs. We will crush landlordism. It is on its last legs. The Land League will give all assistance. Hold firm, don't cringe. Mark the man who takes land from which a man is evicted; let the bad man stand isolated. Mr. Robinson called the people of Connemara vermin; the people of Connemara ought to treat him as vermin. Leonard, of Tuam, I will say nothing about. I will denounce him at his own door." I do not know that I have any more speeches in 1881, in Galway, but at a meeting of the Ladies' Land League—your Lordships will remember that the Land League was suppressed by the Government in the month of October, 1881, and the work of the Land League was carried on by the Ladies' Land League, as I shall show your Lordships by overwhelming evidence, during the last three months of 1881 and the early part of 1882—at a meeting of the Ladies' Land League on March 12, 1882, the Rev. Mr. Higgins made a speech. He told the people to unite and organize among themselves, and

they would soon gain their national independence. He hoped there was no one present base enough to violate the national oath ; if there was he, although a priest, would put a rope round his neck and hang him ; he should be shot. He then told them to oppose the service of writs and sheriffs' sales in every possible way. He referred to the election of guardians ; they should make a selection among themselves ; they wanted no rats—to shoot the rat. The reporter adds that he believed that the allusion made by the speaker in connexion with the election of guardians was directed against Mr. John Geraghty, of Shanoglish. The Rev. Mr. Higgins was prosecuted at Gort on the 1st of April, 1882, on the charge of proposing to sundry persons to shoot one Geraghty, and publishing a notice to incite an unlawful assembly. He was returned for trial to Galway assizes without bail. I have now read to your Lordships a series of Galway speeches, and so far as I know on the information before me they are representative. I do not pretend to have exhausted the speeches made in Galway at this period, but I said that I was anxious, in opening the matter, not to put before you anything said by speakers of whose position as being connected with the League I have not any proof. Now, my Lords, I wish to ask your Lordships to observe what was the condition of matters with regard to county Galway. Prior to 1880 I believe it will be proved before your Lordships that the place was quite peaceful and quiet and showed nothing more than the ordinary offences occurring in every other community, and that there was no organized agrarian crime. In the years 1880, 1881, and 1882, prior to the suppression of the Land League, there were no fewer than 18 agrarian murders in the county. It is to be observed, and I may make the observation now, that in all these districts agrarian murders and outrages were immensely diminished under the Coercion Act of 1882.

SIR C. RUSSELL.—The Act of 1881.

THE ATTORNEY-GENERAL.—I beg pardon ; the Act under which persons were arrested without trial was passed in 1881 and the Coercion Act in 1882, and it was after the passing of that Act, which had to do with the actual punishment of crime, that these murders diminished ; but before the passing of that Act there

were 18 agrarian murders in this county of Galway. Now I want to describe to your Lordships very briefly the character of the outrages with which you have to deal. At Cloughanover in January, 1880, there had been a series of Land League meetings in the neighbourhood. The landlord was Mr. James M'Dermott, and, as I am instructed, it will be proved that prior to these Land League meetings the relations between the landlord and the tenants might almost be said to be perfect. At the meetings which were held speeches of the kind to which I have referred were made. A bailiff on the property, named Joseph Dooley, and two farmers, Thomas Lohan and John Tannyan, were subsequently suspected of having paid rent. In January a party of men visited their houses, made them swear not to pay rent, and fired shots outside the doors. A police hut had to be erected for the protection of the men. Previously there had been no necessity whatever for such a thing as police protection. Now let me describe what was done near Tuam in the case of a man called Raftery. He had occupied some land belonging to a proprietor named Lynch, and at the end of 1879 he took some land from which Lynch had evicted two tenants for non-payment of rent. On May 22, 1880, a party of moonlighters--who, as far as we can ascertain, were members of the local Land League--a party of men numbering 15 or 20 went to his house, burst open the door, pulled him out of bed, and then carded him with a card into which they had driven nails in order to tear the flesh. They then pulled his wife out of bed and knocked her about. They killed his dog and broke all the windows of the house. For the man's protection a police hut with accommodation for five constables had to be erected. So far as my instructions go there was nothing whatever against this man except that he had taken some land from which Mr. Lynch had evicted two of his tenants. Observe, this tyranny could not injure Lynch except very indirectly; it only injured this unfortunate man, who had committed no offence and had done what he had a perfect right to do. On September 25, 1880, Lord Mountmorres was murdered. The particulars are specially brutal, but I need not refer to them at any length. I have alluded to them here because Lord Mountmorres was referred to in a speech delivered after his death as a land robber. On December 11, 1880, a Land League meeting was

held at Tynagh, and in proposing a resolution one of the speakers said :—

“ If you meet a man that has deprived another of his means of subsistence, shun him ; and if you meet him in his place of worship, form a ring round him ; look upon him as a man with some loathsome disease. . . . I call upon you to-day, for such bones as those no grave ; let the earth refuse him a grave, and the heaven a God.”

In the year 1880, Hubert Greany and E. C. Robinson, of Ballinagrane, surrendered a farm which they conjointly occupied at Stoneleigh, on account of the rent being too high. Patrick Gibbons then became herd of the surrendered land, but he had to give it up because the people ill-treated him. In November, 1880, a man named Michael Coakly took up the herding of the same farm, but had to leave because he was posted as a person who was not to be spoken to. In June, 1881, John Moore came to herd the same farm, and he was at once boycotted, and had to get police protection. The following threatening letter was sent to him :—

“ Beware of the awful doom that waits you, and that horror of horrors that hangs over you. We hereby solemnly pledge ourselves before God not to allow you any longer to herd a farm from which a tenant has been evicted ; so depart from the unwholesome place, you accursed traitor, or, by heavens, you are on the verge of your tombe, for the hour has come when all the foes of freedom will be shot down and threw out as a gardener would throw out plants. If you persevere and not adhere to this notice and confess, you shall meet with the same sad fate and red death of Dempsey and Doherty, &c. My advice to you is to depart within six days of the arrival of this note, or if not, neither rack, halter, or gibbet, coercion, buckshot, or steel will chill my Celtic blood from doing what is here mentioned. Exit. God save Ireland.”

Moore, however, still remained as caretaker on the farm, and he had to have police protection. As far as our information goes, there was no complaint of anysort against this man except that he had herded the land, some one else having thrown it up on the ground that the rent was too high. Now, I have referred to the case of Dempsey, who succeeded Murty Hynes in a farm on

Lord Dunsandle's property. Murty Hynes, who had taken the farm from which a tenant had been evicted for nonpayment of rent, was referred to by name on September 19, 1880, by Mat Harris. Hynes afterwards attended a Land League meeting in October and gave up the farm. About the same time a man named Connors took possession of some bog land belonging to Lord Dunsandle, which had been surrendered by a person named Keogh. Connors was boycotted for having taken the land, and Dempsey was at the same time threatened. On May 12, 1881, Connors was murdered. Four men were engaged in the murder, none of whom were disguised. They were arrested, and three of them, John Ryan, Patrick Keogh, and Edward Fahy, were identified, but they were not convicted. With regard to Murty Hynes, a meeting was held on September 19. About 600 or 700 persons assembled, and, headed by Mat Harris, proceeded to the evicted farm. About 130 yards of wall were broken down, and the man's crops were tossed about. Mat Harris addressed the people and denounced Hynes as a land-grabber. Hynes gave up the farm and it remained vacant until April, 1881, when Dempsey took it. Within a month Dempsey was shot dead when going to Mass. My learned friend, Sir Charles Russell, said in his interruption a short time ago, "You ought to tell the Court that the murder took place a year afterwards." But what are the facts? The facts are that in October Murty Hynes gives up the farm because 600 or 700 people have assembled for the purpose of threatening him, and that within a month from the time when Dempsey takes it he is shot at and murdered. Can any one say that that was not the natural consequence of the speeches that had been delivered? I do not know what my learned friend's interruption meant, unless it was a suggestion that I was putting to your Lordships a case which, from the lapse of time, could have no connexion with the speech to which I have drawn attention. But the logic of events is irresistible. Dempsey's widow was boycotted and had to have police protection for some years after the unfortunate man was murdered. The exact date of the murder was May 29, 1881. On July 24, James Linton, a sergeant of the Royal Irish Constabulary, was murdered at Loughrea, where he had been for 20 years. He was on good terms with the people,

most liberal in his subscriptions to charitable institutions of every denomination, and very kind to the poor. All that he had done was to take notes of Land League meetings, and to give evidence in December, 1880, at the State trials in Dublin, with regard to the meeting held at Riversville on September 19, when Mat Harris denounced Murty Hynes. At 10 o'clock on July 24 he was shot dead as he was returning to the police barracks at Loughrea to attend roll-call. He endeavoured to pursue the murderer, but fell in the street, and died in less than half an hour. A good many people were about at the time, but none of them attempted to stop the criminal, who escaped. My learned friend may perhaps say that the outlines of my picture are exaggerated, but nothing can be more certain than that in the great majority of instances these crimes were the results of opposing the Land League by resisting its decrees, or of taking land from which a tenant had been evicted, or of giving evidence against men who supported the League. It is most worthy of note that these outrages, occurring in the middle and end of 1880 and in the beginning of 1881, were committed after these violent speeches had been delivered, and that no single step had been taken by the speakers to put a stop to the outrages. If this conduct was not that which Mat Harris desired, if the denunciation of the landgrabber was not intended to lead to these consequences, how is it that we do not find Mat Harris going down to these districts and saying "I will have nothing more to do with you until the persons who have committed these outrages are brought to justice"? No, you find a kind of slang expression at the end of Mr. Harris's speech—thig-um-thu—meaning, "Do you twig?" But not in one solitary instance, at this time in this country, where this horrible state of things was raging, was there any leading Parliamentarian or politician or member of the Land League taking steps to put a stop to those horrible outrages. If it is said there were instances, I ask where is the evidence that any single outrage was prevented, stopped, or even hindered by the action of the Land League? On August 26, 1881, Mr. George Robinson, a land agent and justice of the peace of Ronnastone, who acted for Mr. George Burrage, the Hon. Colonel Clements, and Mrs. Blake—I am not aware that any suggestion is made that these

people, being landlords, were oppressive or had given rise to ill-feeling—on August 26, 1881, this Mr. Robinson was shot at. It will be remembered that on April 3, 1881, Mr. Harris, in the course of a speech which I have already quoted, referred to Mr. Robinson. Does any one suppose that that speech was the expression of a wish that Mr. Robinson should not have any harm done to him? I would also remind your Lordships that on April 7, 1881, Mr. Harris urged the people of Connemara to treat Mr. Robinson as vermin. On August 26 of that year there were extra police in the district, and when Mr. Robinson went to collect rents with two constables, eight or ten shots were fired at him. Fortunately none of them hit him. The police fired back, and there is every reason to believe that some one of the assailants was wounded, and I am not sure that I shall not be able to give your Lordships some evidence under another head directly connecting those who committed the outrages and the local Land League with the head executive in Dublin. I am justified in asking your Lordships for a moment to consider what is the condition of the place in which Mr. Robinson has been described as vermin, and statements made "I do not wish you to shoot Robinson," and in the result Mr. Robinson shot at, and on what ground Mat Harris, the speaker, is not directly responsible for that. I do not know where responsibility begins if it does not begin at such conduct. I shall prove that Mat Harris at this time was receiving money from Egan, the treasurer of the Land League. What is the connexion between the two, if Egan is the head of an innocent organization? I do not understand at present. Of course I will not anticipate what is going to be said, but I think your Lordships will be of opinion, if I establish these cases, that *The Times* were justified in saying that the Land League depended for its existence upon intimidation of which the sanction was murder—that that was not the language of exaggeration but of truth. On November 2, 1881, Peter Dogherty was murdered. He was a young farmer, and all that was known against him was that he had taken some land which some other people had given up. I am not sure that I can refer at the present moment to any speech in which Dogherty was referred to by name, but I think the inference can fairly be drawn from the

facts I have referred to. A Mr. De Blaquiére resided at Fiddane, Tubber Gort, in 1881. He was a landed proprietor, and from the beginning of the Land League agitation he spoke against it, and pointed out openly and boldly the tyranny imposed on the people. He made himself obnoxious by speaking with fearlessness and courage against the action of the Land League. Soon after the arrest of Mr. Parnell a motion was introduced at the Local Board of Guardians at Tubber Gort, condemning the Government for arresting Mr. Parnell. Mr. De Blaquiére refused to receive this motion, and on November 15 two shots were fired through his hall-door, one of which as nearly as possible killed his wife. The door was open, and he saw two men standing within 50 yards of his house. A notice was then served upon him :—

“ Take notice that Harry Blackquiere is boycotted from this day forward for his treacherous conduct at the Gort Union in opposing a resolution condemnatory of the Government in arresting our leader Parnell. Secondly, in appearing at the head of the British soldiers and peelers at Lough Cooter to prevent a Land League hunt, when he defiantly expressed himself, ‘ If the people did not disperse before five minutes that he would have them shot down like dogs.’ Boycott him ! Boycott him ! Signed, CAPTAIN MOONLIGHT. P.S.—If any one is so base after reading or hearing of this notice to work for him, or keep his company, he shall die the death of a traitor.—C. M.”

In consequence of that notice Mr. De Blaquiére was partially boycotted. A man named Pat Clayton and some others continued to work for him, and on March 9, 1882, Clayton was threatened with death if he did not leave Mr. De Blaquiére's employment. I desire to call attention to an outrage on Thomas Connair and Martin Murphy, tenants of Lady Bourke, who paid their rents in 1881. Your Lordships will not have forgotten that I referred to a speech of Mr. Dillon's, in which he said that persons who paid rent when others did not were traitors, and should be treated as traitors. On November 26, a few days after they had paid their rents, Connair's house was set on fire and a shot was fired through his window. On the same night Murphy's house was set on fire and a shot fired through his window, and the whole of his furniture was consumed. On December 4, 1881, this

notice was posted :—" Irish National Land League.—£100 reward will be given for the names of any person who have paid rent." I do not know whether it will be suggested that any counter effort was made by the Irish National Land League to prevent the effect of such notices being circulated.

SIR C. RUSSELL.—The Land League was suppressed at that time.

THE ATTORNEY-GENERAL.—Does my learned friend mean to suggest that the Land League could be suppressed in a moment? I can understand my learned friend being desirous to interpose anything which might mitigate what I am saying; but I ask your Lordships whether it takes much away from the strength of what I have been saying to say that the Land League was suppressed in October, 1881. Has he forgotten that Egan was in Paris? At this time, it is true, Sir C. Russell's particular client was in Kilmainham. This is no case of whitewashing one party at the expense of another. We are engaged in a searching inquiry into the truth of these charges and allegations, and I ask your Lordships to notice particularly that " Parnellism and Crime " was directed against all these people against whom the charges are made. My learned friend has, perhaps, forgotten that the Ladies' Land League was in active operation, which League we allege to have been a link in a continuous organization, and it was Land League funds which the Ladies' Land League used, and I have not heard it suggested that the Ladies' League was more moderate than the Land League itself. On December 11, 1881, the following notice was found posted on the pier of a gate near the Roman Catholic Chapel at Ballinakill :—

" My dear Leaguers,—I am going to warn you a second time, owing to the ignorance of the person that took down the notice before the public could get to read it. Let no man be so much insane as to imagine that if he pays, or has paid, his rent that he won't be shot. Undoubtedly he will if he had all the police in Ballinagar protecting him, if he violate the rules of the League—that is, to pay the rent, to take a farm from which a tenant is evicted, or to work for a boycotted man. I remain, yours truly, CAPTAIN MOONLIGHT."

On December 15 another notice was found posted on the wall outside the village of Woodford :—

"The tenant farmers of Woodford district are called upon to show their independence on Thursday, when the agent will come to look for rents. Let you all go in like one man, and if he does give you a sweeping reduction keep the money, but let the man who goes in by himself—let him mark the consequence.—CAPTAIN MOONLIGHT."

I have said to your Lordships that the Moonlighters were Land Leaguers, and that piece of evidence, at any rate, goes to show that the Land League, whose name was being taken in vain if not responsible for the Moonlighters, took no steps whatever to destroy the effect of the notices. On January 3, 1882, occurred the murder of Lord Ardilaun's bailiffs. Their bodies were sunk in the lake, and it was a long time before the murder was detected, and even then there was the greatest difficulty. They were sunk in 27ft. of water, and although it was pretty clear, from information then in possession of the police, and which will probably be proved before your Lordships, that there were some persons who could have detected the criminals, it was not until October, 1882, that the persons were detected who had been guilty of the crime of that murder. On the 15th of February, 1882—your Lordships may remember that I have already detailed to you the murder of Constable Linton, who had been 20 years in the same place, and against whom, so far as we can tell, no offence of any kind could be brought except that he had taken notes at a Land League meeting—Constable Kavanagh, who investigated the circumstances of Linton's murder, was on the 15th of February, 1882, shot at his own barrack gate. I think he was shot dead. I have passed a case of Botterell and his two daughters, who were fired at, and so far as we can tell, on the information before us, the only thing that Botterell had done was that he had served processes upon his tenants for non-payment of rent. He served processes in the end of December, 1880. I am not sure that he had been referred to by name, but there had been meetings referring to steps taken by the landlord, and on the 19th of December, 1882, he and his children were fired at as they were driving home. There are two more murders in 1882. On the 8th of June Walter Burke, a landlord, was murdered. My recollection of the proof is that Walter

Burke was protected by a sergeant of police and was shot while the sergeant of police was with him. Both Mr. Burke and the soldier who was guarding him were shot on the 8th of June, 1882. That murder, my Lords, took place in broad daylight, and except for some suggestion that he was a landlord, I am not aware that it will be suggested that he had done anything which could cause the attack made upon him—certainly nothing that could justify such a brutal and horrible murder. On the 29th of June occurred the murder of Mr. Blake. I do not know whether your Lordships will remember that I referred to his name in the course of reading the speeches, I think, of Griffin and of Mr. Harris; at any rate one or two of the speeches to which I have referred in the course of this afternoon as having been delivered in Galway. He was agent for Lord Clanricarde, and he was personally very popular in the district and was on good terms with all the persons there prior to the meeting of the Land League. I have mentioned to your Lordships the meeting which took place in 1881 in county Galway, in the immediate neighbourhood of the district in which Mr. Blake lived. On the 29th of June, 1882, as Mr. Blake and his wife were driving from Loughrea they were fired at from behind a stone wall. Mr. Blake and his servant man Ruan were both shot dead. Mrs. Blake was wounded in the right hip, and the horse was also shot. It was a murder which took place in broad daylight. Well, my Lords, whatever may be said as to how agitation of a constitutional character can be conducted, this would seem to show that these meetings were intended to have a certain effect, and that they had it. My Lords, there are later outrages in Galway than in 1881 and 1882, outrages which took place when the Coercion Act had dropped and before the recent Coercion Act—I mean outrages in 1885-6. As to one of those, Finlay, I may have to give your Lordships some detail, because there was the most direct connexion between the murder of Finlay and the denouncing him at a previous meeting after having taken some part in eviction processes. But I propose not to refer to 1885 at present, because I particularly desire to call your Lordships' attention to what had been done in 1881 and 1882. I have passed over a good many of the outrages that occurred in Galway, but your Lordships must not understand that I pretend

to have given you the details of every case. At the same time I have, I think, given a sufficient number of cases to show by name, by circumstance, and by cause that there was in Galway the most direct attempt made by those whose names are in the particulars, by their paid agents, by the Land League and its paid agents—I am speaking of the leading members whose names are mentioned in the particulars—to carry out a scheme for initiating and carrying out the horrible and brutal system of tyranny whereby no tenant was to be allowed to take or remain in possession of an evicted farm, and the landlord was to get no advantage out of such land; and if any tenant was found rash and courageous, or foolhardy enough to disobey the orders of the Land League, the consequences were such as I have described. Your Lordships will see that such was the power of the Land League that it was sufficient to bring down upon offenders against its laws the vengeance I have described. Your Lordships, however, must not think that because numbers of people thus suffered there were not also many others who gave in. It will be proved by those who have had personal experience of the maintenance of law and order in these parts of Ireland that, as I said a short time ago, the organization of the Land League meant the submission of everybody to its behests. It is probable that when a sufficient number of people had been murdered, a sufficient number of houses had been burnt down, a sufficient number of cattle injured, and a sufficient number of crops destroyed, the number of people who could afford to undergo these risks was very small. Instances will be given of people who, at the risk of their lives, fought against the Land League, and who have been the subject of repeated denunciation by speakers. It must not, therefore, be supposed that because I have brought this large number of murderous outrages before your Lordships that is the full measure of the Land League's power.

TUESDAY, OCTOBER 23.

Mr. Hammond (solicitor) represented Mr. Chance.

As soon as the Commissioners had taken their seats,

The ATTORNEY-GENERAL, addressing their Lordships, said,—With regard to the application made yesterday by

my learned friend Sir C. Russell as to the production of some further documents, I must ask that that shall not be taken this morning, as we are obliged to make an affidavit in answer to the one made on the other side, and it could not possibly be made before the rising of the Court to-day. I have not the slightest objection to the matter being taken to-morrow. With regard to the further particulars my learned friend asks for I am indifferent.

SIR C. RUSSELL.—If one matter is to be postponed the other had better be postponed also, so that the two applications may be considered together. I have, however, to point out that the affidavit to which my learned friend has alluded was handed in before 12 o'clock yesterday, and that there is no reason why it should not have been answered by this time.

The ATTORNEY-GENERAL.—As a matter of fact the affidavit was handed in late yesterday afternoon to my client sitting in Court, and as he had to attend here all day, it was not possible for him to answer it.

SIR C. RUSSELL.—I am informed that it was delivered before 12 o'clock.

The PRESIDENT.—I think that the matter had better stand over until to-morrow morning.

Mr. LOCKWOOD.—I wish to correct a misapprehension as to those I represent, after what was said by my learned friend Mr. Reid as to the members of Parliament for whom he appeared. I said I appeared for the other members, but there is one exception. I do not appear for Mr. Biggar. Mr. Biggar represents himself.

Mr. Biggar.—I wish to ask whether the representatives of *The Times* will give me copies of the speeches on which they rely and which I am supposed to have made. My position is this: I have only seen summaries of what I have said in print. I do not suppose that the Attorney-General will make any objection.

The PRESIDENT.—Whatever is done in favour of Sir C. Russell's clients will be done in your favour also.

The ATTORNEY-GENERAL.—As Mr. Biggar appears for himself, I may say that I have previously handed all copies of speeches I am quoting to Sir C. Russell, and the best course will be that when a speech I am reading happens to be one of Mr. Biggar's it shall be handed to him also. The speeches will all be in print, and, of course, we have copies of them. I will see that exactly what was done in Sir C. Russell's case yesterday is done in Mr. Biggar's case.

SIR C. RUSSELL.—There is one observation which I have to make. The Attorney-General was good enough to hand me certain copies of speeches which he was reading which I find do not appear in the shorthand notes in the same form as the document handed to me, and the omissions seem to me to be very important. I mean that there are notes on the documents stating by whom the notes were taken, and showing that they were taken in longhand by the police-constables—I believe in all instances. It is very important that that should appear. That was one reason why I was going to ask that we should have the Government notes furnished to my learned friend's clients in order that we may see the whole of the speeches said to have been delivered and upon which my learned friend relies.

The ATTORNEY-GENERAL.—Before your Lordship deals with the matter I wish to make one observation.

The PRESIDENT.—We will deal with that to-morrow morning.

The ATTORNEY-GENERAL.—With regard to the printing of the matter, we have nothing whatever to do with that. The same documents that were handed to the officers of the Court were handed to Sir C. Russell, and I see they are marked "uncorrected proofs," it not having been possible to get the whole corrected. But my learned friend is entirely mistaken when he calls them Government reports or papers. They are

reports of speeches, and have been obtained by *The Times* in the ordinary way.

SIR C. RUSSELL.—I say that these reports were notes taken by police constables on the instructions of the Government.

The ATTORNEY-GENERAL.—My learned friend is in error.

The PRESIDENT.—Do you object to these marginal notes appearing ?

The ATTORNEY-GENERAL.—Certainly not. I should have wished them to appear. I should wish them, however, to be printed in the form of separate paragraphs, and not to run on with the previous line. They will then appear as separate documents.

The PRESIDENT.—Then whatever documents are handed in by the Attorney-General will be printed in their entirety.

The ATTORNEY-GENERAL.—I have now to resume my statement at the point where I left off yesterday, and I may say that I was anxious to read to your Lordships before I went to another county a document called the "No-rent manifesto," which was, or purported to have been, issued from Kilmainham on the 18th of October, 1881, signed by Mr. Parnell, Mr. Kettle, Mr. Davitt, Mr. Brennan, Mr. Dillon, Mr. Sexton, and Mr. Patrick Egan. I wish to say here that Mr. Davitt's signature was not affixed to the document by Mr. Davitt himself, he being at the time confined in Portland Prison. As far as the evidence I am able to lay before your Lordships enables me to say, the signature of Mr. Davitt was put to it by some one of those persons in Kilmainham. Whether or not Mr. Davitt was responsible for it or authorized it in any way is a matter which will not be without importance for consideration in connexion with some later incidents I shall have to refer to. I was anxious to read to your Lordships the actual terms of that "No-rent manifesto"—

but I have left it downstairs—in order that your Lordships might see that this policy—the policy of preventing the payment of rents, of punishing tenants who did pay rents, which was continued undoubtedly from the time Mr. Parnell was in prison in Kilmainham, from the 1st of October, 1881, up to May, 1882, with the small interval when he happened to be out for a few days—was carried on with the approval, as far as we can tell, of those who at that time were undoubtedly not so much in control of matters as they had been previously, or as they were afterwards. And with reference to this indictment which I am now preferring against a number of gentlemen—not against Mr. Parnell alone, but against a large number of other gentlemen whose names are given, among them those of Mr. Biggar, Mr. Harrington, Mr. Matthew Harris, and a number of others—I shall show your Lordships that, long after the time that these gentlemen had been in Kilmainham, and long after the time when the effect of these speeches was brought to their knowledge, the same kind of speeches and the same kind of conduct were repeated, and the same results followed. Yesterday, in dealing with Galway, I had, for the purpose of the particular method of telling my story, stopped at the year 1882. In dealing with the other counties I shall, without going back to Galway, show your Lordships that the same course of conduct was pursued, with the same consequences, after as before 1882. I propose to ask your Lordships' attention to the county of Kerry and to pursue the same course as I did yesterday, by reading from a series of speeches which were made in that county of which we have notes. There were many other speeches made of which we have not any notes—that is to say, not full notes—but we have references in some particular instances to particular speeches, and I shall in those cases be able to lay before your Lordships evidence of what was said. The first speech to which I shall refer was one made at Beaufort on the 16th of May, 1880, by Mr. Parnell. Your Lordships will find that in many of these counties, Mr. Parnell made, if I may so call it, speeches which initiated the Land League and its work, and he was followed by speakers, many of them in the pay of—directly paid by—the Central Association in Dublin, while others who are among the persons charged, and many of whom are now members of Par-

liament, were, as I shall show—or shall suggest to your Lordships—rewarded for the part they had taken, they having had previously no connexion with the land or with public life, by being nominated by Mr. Parnell and his party to represent certain constituencies in Ireland. Your Lordships will be able to appreciate further on what was the effect of the organization I have been describing. This is the report of Mr. Parnell's speech at Beaufort on the 16th of May, 1880 :—

“ I know as a matter of fact that of the 600,000 tenant-farmers in Ireland fully 400,000 are unable to pay the rents. (Cheers.) Ejectments for non-payment of rent have been scattered broadcast over the country, and in a short time the landlords will ask the Courts of law to enforce those ejectments. This will be a serious situation. Can it be expected this time in the 19th century our people will allow themselves to be driven from their farms as in 1848 ? I think that day is gone by, that a spirit of determination is taking fast hold of our people, and that they will no longer permit themselves (cheers) to be exterminated, either with or without the law. If the Legislature refuses to step in this agitation will have to go on (cheers), it will increase tenfold in intensity, and the people will do for themselves that which the Legislature refuses to do. (Cheers.) We will see that the people will not be swept from the country while there is money to defend them in the Courts of law. The National Land League has plenty of money at its disposal for the purpose of defending the tenantry of Ireland. The day is dawning when we shall have taken the first steps to strike down British misrule, and the noble dreams of Grattan, Emmet, and Lord E. Fitzgerald, and of every Irish patriot, ought at all times to be brought to a triumph and realization. (Cheers.)”

SIR C. RUSSELL.—There is a full report of the speech in the *Freeman's Journal*.

The ATTORNEY-GENERAL.—I shall have to show to your Lordships that this and many other speeches of a very violent character were reported in papers such as *United Ireland* and others. But the more important fact is that these outrages which were taking place were referred to in the columns of *United Ireland*, of which Mr. William O'Brien was the editor, as being incidents in the campaign ; so that the murder and

wounding of men and women and burning of property were regarded as merely incidents in the warfare that was going on between the National League and the landlords. Day by day, therefore, the effect of these speeches was being brought home to those who made them, and yet they still continued to go on making these speeches and profiting by this organization. On October 10, Mr. A. O'Connor, speaking at Castleisland, delivered a speech which is thus reported—

SIR C. RUSSELL.—This purports to be a report, whereas it is only one or two sentences. In the newspaper it is a long report.

The ATTORNEY-GENERAL.—If the report is inaccurate my learned friend will get the advantage of it.

The PRESIDENT.—Some observation was made by one of the learned counsel *sotto voce*, the effect of which I did not hear. I think, Mr. Attorney-General, you had better confine yourself to those observations made by Sir C. Russell which are addressed to the Court.

The ATTORNEY-GENERAL.—I entirely agree, if I may humbly say so, with that view; but your Lordships will understand that it is scarcely possible when an observation is made audibly to avoid reference to it.

The PRESIDENT.—I wish to keep things orderly in all respects, and I thought I would remind you of what is orderly.

The ATTORNEY-GENERAL.—I am obliged to your Lordships. Now, on October 10, at Castleisland, Mr. Arthur O'Connor and Mr. Biggar spoke. Mr. A. O'Connor deprecated the commission of acts of violence because their enemies made use of such acts, and public opinion in England is affected by them. "This passage is worthy of consideration because in it the speaker deprecates the commission of acts of violence, not because they are wrong or wicked, but because their enemies made use of such acts, and public opinion in England was affected by them. The speaker went on to say that he knew the feelings that were entertained towards the landlords of Kerry, and he believed them to be perfectly natural. He sympathized with those feelings, and he could well understand—though he would not attempt to justify—the extreme act of any man who might in the moment of irritation be prepared to do that which St. Patrick and his followers would in their duty be compelled to denounce. He

said, "I tell you that the man who would shoot Samuel Hussey would do a grievous harm to the cause of the tenant." On the subject of rent he told them to provide first for their own maintenance, then to pay their shop debts, and when that was done they might think of the landlord; that they should keep a firm grip of their holdings, and if evicted remain in the locality watching the first opportunity to regain possession, and that they should be no party to the grabbing of farms. Mr. Biggar said :—

"They should take care that none of their neighbours gave more than the valuation in the shape of rent. They can take care that if any one is base enough to take an evicted farm the public opinion of the district is brought to bear against him, and that he be forced, not by physical means, to do what he ought to do in regard to a matter of that kind. If any one is charged with shooting or offering violence to the landlord or his agent it is the duty of the Land League to see that that person shall get a fair trial. What is the good of a man shooting a landlord? You, the members of the local Land League, can use your exertions to get everything in favour of the person who is charged with such a crime as shooting a landlord."

Speaking of Mr. Blennerhassett he said :—"He has thrown in his lot, so far as I know, with the Whiggish members of the Irish party, who are our most deadly and dangerous enemies." Speaking of Sir Rowland Blennerhassett, he said :—"I believe when Mr. Hussey's son wanted a grand jury Sir Rowland Blennerhassett took the trouble to come over here to keep this tyrannical agent's son in as high sheriff for this county." At Brosna, county Kerry, on the 24th of October, 1880, Mr. T. Harrington, another member of Parliament, proposed a resolution pledging the people never to take an evicted farm or to hold intercourse with such persons; and he said they should put their opposition to that person into definite form. "In one part of the county a man named John W. O'Connor had taken an evicted farm, and endeavoured to dare public opinion for three or four months, but the jeers and scorn with which he was met obliged him to surrender it to the landlord." Now that case of John O'Connor, which is one I have to mention to your Lordships in connexion with the outrages in this

county and in connexion with the League, was a case in which John O'Connor's crop of flax had been thrown into the river. He had then been boycotted and his house had been maliciously set on fire, and eventually he surrendered his farm. Undoubtedly this is an instance in which the steps taken by those opposed to this poor man to make him surrender his farm were successful, he having neither the means nor the courage to resist any longer. The conduct that was used towards him to force him to surrender his farm was described by Mr. T. Harrington as "the jeers and the scorn with which he had been treated."

SIR C. RUSSELL.—Where did this John O'Connor live ?

THE ATTORNEY-GENERAL.—My learned friend asks me to state where the man John O'Connor lives. I have not the reference of his address before me, but I will give him the actual part of the county in which he lives when I come to deal with the case. On the 27th of February, 1881, at Barraduff, also in the county of Kerry, M. P. Boyton, the Land League organizer for Leinster, and known to Mr. Parnell as a principal organizer, made a speech. This Boyton was a man who, at a later date, many months after the time I am now upon, when it was considered desirable for Mr. Parnell to express his willingness to suppress outrages, was referred to as one of the men Mr. Parnell would use to suppress outrages. It is more important to my purpose that this man was paid to make speeches. On the occasion to which I refer Mr. T. Harrington and Father O'Leary were also present. In the course of his speech Boyton said :—

"The time for speeches has almost passed ; I believe that the landgrabbers are dead in Kerry ; if not, it is high time for you to look after them. The day must cease in Ireland when rent will be paid. From this it will be our duty to go on as you are doing and put an end to the landgrabbers in your midst. You are entitled to fix what is a fair rent, and if that be refused keep the rent and the land too. There is such a thing as landgrabbing ; you know what to do with the landgrabbers before now ; shun them like a man in the smallpox."

Your Lordships will find presently from whom the ad-

vice as to land-grabbers originally came. I suggest that even if these speeches had been delivered without any previous knowledge of what had been their consequence, such speeches must be known to be calculated to be interpreted by those who heard them as a direct incitement to get rid of land-grabbers—a land-grabber being a man who has done nothing wrong except take land which was to be let. I would ask your Lordships what judgment ought to be passed on men who delivered speeches such as these in regard to land-grabbers, knowing as they must have known how land-grabbers were being treated. I say it is impossible to exaggerate the wickedness of such speeches—but I desire to point out, what is even more important for my purpose, that without this intimidation backed up by outrage the Land League, of which Mr. Parnell was the head, would have been powerless. Poor men would have resisted its decrees if they had not been enforced by murder. The next speeches which I shall refer to were delivered at Killorglin on the 4th of March, 1881. Mr. Boyton said:—

“ If they (the landlords) did not stop their devilish work of driving the youth out of Ireland a day would come when there would be an end to the Lansdownes, the Kenmares, the M’Gillicuddys, the Trenches.” (The Trenches are principally land agents in Ireland.)

“ We know there is neither honesty, justice, or honour in any English Government situation, so long as Ireland is concerned. The moral coward, Mr. Gladstone, from five millions of Irishmen he takes away the right to know why they are put into a prison cell. We have seen plenty of them (landlords and agents) that deserve to be shot at any man’s hands. I have always denounced the commission of outrages by night, but meet him in the broad daylight, and if you must blow his brains out, blow it out in the daytime.”

This is a direct incitement to commit outrages in broad daylight, and there were some such outrages committed. To a great extent this was unknown prior to 1880. No doubt some outrages were committed in connexion with Fenianism and agrarian matters, but as far as this system of outrage and intimidation, beginning by boycotting and culminating in murder, was concerned it received a fresh and a wholly new start from the Land League. Mr. Boyton proceeded:—

“ It will be your duty to punish those people for any

misuse of their power ; do not be afraid of the Government or the police, but teach that man (the land-grabber) to be afraid of you. Any policeman that enters your house between sunset to-night and sunrise to-morrow you can kill him if you choose. If they come at night and you have an old musket or an old pistol, and your wife or daughter is frightened, you can blow out his brains. Teach your children to grow up in the love of God and hatred of the English mis-government and oppression. If we saw a fair prospect for something better we would not be afraid to sacrifice our liberty first and afterwards our lives in its attainment."

Mr. T. Harrington, who was then editor or proprietor of the *Kerry Sentinel*, said :—

"The present agitation is something more than a struggle against landlordism, it is a struggle for the independence of the Irish nation."

Your Lordships will not forget what I have already said as to the way in which the various strands of political and agrarian feeling were united together. Mr. Harrington proceeded :—

"The man who steals into the back-door of the agent's office to pay his rent, that man is a double-dyed traitor. It is your duty to cut off all communication with the man who takes a farm from which another has been evicted. We intend to make them, the farmers, independent men, and when any foreign despots come to crush them their spirit will be up to resent them."

I will endeavour for the sake of convenience to refrain from commenting on these speeches until I have read them all, but I must here point out that Boyton's speech, referring to individuals by name, was one which of course inflamed the minds of the people, and indicated the course that they should pursue in order to revenge themselves upon those persons by whom they considered that they were injured. I desire next to direct your Lordships' attention to speeches delivered at Knocknabul on the 5th of June, 1881. The Rev. Michael M'Mahon, parish priest, said :—

"That when Irishmen were in the French service, when the Irish Brigade existed, when Englishmen and Irishmen were in the field, the Irishmen were always placed against the Englishmen, so sure were the French of carrying the day. Even in the great

battles where the French were beaten, the Irish broke one section of the field and brought back the English colours. At the battle of Fontenoy the French were forced to fly. One resource remained, 5,000 of the Irish Brigade. They got the word to charge, they rushed in upon the English column irresistibly like a thunder cloud, and trampled them to earth. At the American War, Washington's war with America, the Irish contingent contributed most materially to its success. In the war of 1814 between England and America, the American navy, created by John Barry, an Irish exile, defeated England in the height of her power. The greatest commanders in that fleet were M'Daragh and Stewart, the grandfather of the present Charles S. Parnell. They dealt their blows upon the British, and the American army, led by Jackson and two Irishmen also, they destroyed the English Army. The Irish element is a strong and growing power upon the earth. They surround the British Empire in thousands, prepared to break upon it at any moment. Foreign complications may involve England any day in war."

The Rev. D. M'Gillicuddy, Catholic curate, referring to Father Sheehy's imprisonment, said :—

"What has been Father Sheehy's crime? Let me ask any man here if Father Sheehy walked this road down here to-day and saw the ruin that you saw, if a groan of indignation came from his breast, who would condemn him? And this is Father Sheehy's crime. He has never done or said anything that would be worse than if he stood about the pile of the ruins of Donoghue's house and said, 'Oh, Herbert.'"

Donoghue was a man who had recently been evicted, and Patrick O'Keefe, a released Fenian, said :—

"The constitution upon which the sun never sets, and God grant that it may never set, because it would be wrong and dangerous to leave it in the dark, if the constitution fails to give a portion of the land to the labourer, then I say, 'God send another constitution.' Another constitution will come, and another sun shall rest upon us."

Mr. Curtin, referring to the farm from which Donoghue had been recently evicted, said :—

"Let it stop there as a monument, as a memorial of Herbert's perfidy. Let it stop there to show that

we, the people, are united to a man, and that they will never suffer an Irish, or an English, or any machinations to defeat us. Let it stop there till Herbert goes down to the grave, and badly he is able. (Voice, 'Let him go down to hell.') I don't want you by any means whatsoever to make use of a word against that man. I don't want you to make use of that ugly word boycott. But I will tell you that there are many ways of killing a dog besides choking him with butter. I presume that Herbert won't make his appearance often among you, and it would not be any great loss if he did not appear in Castleisland. Let it go around, from the centre to the sea, that Herbert will be one of the most important men in the country, far more so than Boycott or Bence Jones. I will go and bring some man that might make Herbert one of the most remarkable men in the country."

John D. Casey said they were there to crush tyrannizing land robbers, English blood agents, and to abolish their cursed game of confiscation and eviction.

"We have been their slaves for many centuries. We are now determined to resist them by all the means in our power. I call upon every one of you to stand by the standard of C. S. Parnell, and if one of us be taken away let others take their place until the English Government get tired of arresting us. Our motherland is a rich one; therefore, let every one be determined, no matter who is imprisoned, transported, or hung, let us carry on the cause to the end. Now is the time to crush landlords. Now is the time to live in freedom, or die in slavery. It is now we are fighting the battle of victory or slavery. We are on the brink of victory, and thank God, and with His help, we will be victorious if we stand together, shoulder to shoulder, and stick to the Land League."

The Rev. Mr. O'Rearden, C.C., said that the principal reason of their assembling there that day was to protest against a recent eviction in the district. He was there to denounce those who had perpetrated that outrage upon civilization. The speaker then explained the circumstances of the case of the evicted tenant in question, Donoghue, and stated that after he had been evicted "the hirelings of the agent proceeded to level the house to the ground."

"Now, I say here to-day, and I know the effect that act had upon the feelings of the people, I say

it was calculated to disturb and excite the people and cause outrage in the land. Mr. Forster seems to be at present only listening to one side of the story. I say here to-day that there are some men in prison, some of whom I am proud to call my friends. I say that that act of outrage was more calculated to disturb the peace than anything that these people might reasonably be suspected to have done. I have a great objection to bring any man's name under censure, public or private ; but I will not withhold the name of the landlord here to-day. The name is Mr. Wm. Hartlet, the name of the agent is Mr. A. Herbert, and I brand them here to-day as disturbers of peace and order in the land. I am here to-day to tell this Mr. Arthur Herbert that if he comes into this remote district to disturb the peace, that if he dares to do it, that though we will not injure a hair of his head, that we will make an example of him." (The use of this phrase as to injuring a hair of his head was one which the people well understood.) "Is, therefore, Mr. A. Herbert to be allowed to come in here and break up the houses of these poor people and cast them adrift on the waves of the world ? I say he will not."

On the 11th of September, 1881, a meeting was held at Currow. Mr. Kelly, Tralee Land League organizer of Kerry, said :—

"He felt that in no part of the world, in no part of Kerry, could a meeting be so properly held as on this very spot where they are assembled, because they can almost see the footprints of the sheriff, the crowbar brigade, the emergency men, and all the rag, tag, and bobtail of a miserable, mean, and cowardly Government. To-day, not very far from where they are assembled, the hired soldiers and police of Gladstone's Government brought here, I daresay to give themselves an airing, but with the ostensible purpose of preventing us from committing a breach of the peace. What little chance is there of us breaking the peace, except they might stick their unwelcome noses among us, and if they did I would not be responsible for the peace. Will you take a farm from which another has been evicted ? (Voice, 'They are taken here.') Well, you have nothing to do with those people ; they are simply land-grabbers, and for that you have one thing to do—point the finger of scorn at them. As Dr. Nulty said, socially ostracize them, have no intercourse with them,

and they will find when public opinion is brought on them they will rot under it. We will work even to the death to keep the labourers here, and we know well that if more stern work is wanted we can depend on the labourers on a pinch."

The Rev. Mr. O'Callaghan, C.C., delivered a strong speech against emergency men and landlordism, and urged upon the people the necessity for combination "against that system which will soon sink accursed into the earth, to be melted by the tears of the widows, famished children; a system that hired the spy and suborned the informer." The Rev. A. Murphy, C.C., said:—

"We have been fouled out of our rights for the last 200 years, and it would be much better for us to fight against our enemies on the battlefield than starve in the workhouses as we have done. Unite, no man should go by the back stairs into the rent-office; go in a body, or don't go at all. I should think there are plenty of night boys about here to see them. I think that the cause has made great progress; one good thing, you have cooked the small land-grabber, he is done brown. (Boos for Brown.)" (Brown was the man who was murdered by Poff and Barrett, who were tried and convicted.) "You have yet to cook that big land-grabber, and the big land-grabber well merited it. Second course, land-grabber; third, dessert. We will give England her deserts, and as soon as England meets with her deserts, then you can drink a health to noble Davitt. My friends, Davitt's wolf-dogs are in the slips, and we shall only have to cry hulloa when those wolves will run away. He need not catch them by the throat at all when they will run. Speak to no man that goes by the back stairs into the rent-office. Watch the petty agent, and there will be no more land-grabbers, they will go up to the top of Crumckbin."

With reference to the connexion between moonlighting and the Land League, I have already mentioned that as far as we have been able to find out in every case that can be traced the moonlighters were Land Leaguers. It is not unimportant also to notice that the moonlighters when tried were invariably defended with Land League money. I mention that not for the purposes of further connecting the Land League with these outrages, because we have abundance of other proof of this, but for the purpose of calling attention to the purposes for

which the money subscribed was devoted. As Mr. Boyton pointed out, the money of the Land League was at the disposal of every one accused of shooting a landlord, in order, it was said, to secure for him "a fair trial." The result was that all those who committed outrages considered themselves as under the special protection of the Land League. I now come to speeches delivered at Kenmare on the 20th of September, 1885.

The PRESIDENT.—1885 ! Are you proceeding from 1881 to 1885, or do you intend to return to the intervening period ?

The ATTORNEY-GENERAL.—In 1882 the Land League was suppressed, and from 1882 to 1885 the Coercion Act was in force. However, perhaps the better course will be for me to break off with the speeches down to 1881, and direct your Lordships' attention to a selection of the outrages committed in this county down to this period. I will not describe all the outrages, but I will refer to some of them and show that they had a direct connexion with the speeches which were delivered, to which I have already referred. I will give them, as far as possible, in order of date. First of all I would call attention to the firing into the dwelling-house of Thomas Talbot on the 18th of March, 1880. Your Lordships will find that on the 8th of March, 1880, a man named Murphy was evicted from his farm, and Thomas Talbot took possession and occupied it as caretaker. On the morning of the 18th of March he was fired at through the window of the house where he was living. On that occasion, fortunately, he was not wounded.

SIR C. RUSSELL.—That date is before any of the speeches to which you have referred.

The ATTORNEY-GENERAL.—It is quite true that this outrage is before the date of any of the speeches that I have been reading, but I am not able to give your Lordships the reports of the earliest of the Land League meetings. There were meetings, and the organization was at work months before the speeches I have read. We cannot get evidence of what passed at the earlier meetings, for they were not of the same public character. It was not until the county had been partially organized that these thoroughly public meetings took place. I next call your Lordships' attention to the firing into the dwelling-house of Jeremiah Sullivan on the 3d of December, 1880. Sullivan was

a tenant of Lord Ventry's, and he paid his rent. He had done nothing else, as far as I can gather, to call down upon him the vengeance of the Land League. On the morning of the 3d of December a shot was fired through the bedroom window. Some pellets penetrated the curtains of the bed on which he and his wife were sleeping. The windows of the house were broken, and a violent threatening notice was posted on his door. It said :—

“ The cause that we come to you is that you paid your rent, and we swear by our God that if you ever again pay it against the will of the people or any other man you will be shot. Take notice only for the large family that was depending on you have been shot, and there is more black sheep in the neighbourhood got not to pay rent and they paid and they will be shot.—
BOY OF THE HILLS, the Moonlight Ranger.”

Then there was a picture of a coffin bearing the words, “ God rest his soul.” On the 29th of June, 1881, the house of a man named M'Candy was attacked by an armed party, and this man with his brother and sister were wounded with gun-shot wounds. One of his arms had to be cut off. His offence was that he had served certain eviction notices. On the 6th of September, 1881, William Coppice received notice that unless he apologized to the Land League for having paid his rent he would be boycotted, and his house was subsequently attacked. On the 12th of November, 1881, the house of Thomas Galvin, who had paid his rent, was entered by an armed party, Galvin being fired at and wounded. On the 17th of December, 1881, Michael Flynn had his house entered by an armed party at Corbal, and, being charged with paying his rent, was fired at and wounded, necessitating the amputation of his leg. On the 1st of February, 1882, the houses of Daniel M'Carthy and Daniel Lenaghan were fired into, the only explanation being that they had paid their rent. In the same month Cornelius Hickey, who had taken possession of a farm and who had refused to give it up, was shot, and died of his wounds. On the 6th of March, 1882, Daniel Dowling was fired at and wounded. These outrages in the county Kerry were occurring almost daily, and one cannot help again asking why is it that there is not a single speech by a leader of the so-called constitutional party in which

an attempt was made to restrain such outrages. The Land League was started under the names of Mr. Parnell and Mr. Biggar, and Mr. Brennan and Mr. Egan were its officers. If they were not conniving at and taking advantage of what was going on, how is it that not even a circular was sent out to warn these people of the iniquity of these outrages, and to urge the people to assist in the conviction of those who committed these deeds? But during these dreadful years of 1881 and 1882 not one single step was taken by Mr. Parnell or any of his followers to put an end to these outrages. Your Lordships will find that whenever the outrages were spoken of by some speakers it was pointed out that they did harm because of their effect on English public opinion. But nothing was said of the wickedness of these deeds. Daniel Dowling was a farmer of 25 years' standing and was suspected of paying his rent. On the 6th of March a party of men entered his house and asked if he had paid his rent. He said he had and had got a reduction, whereupon they ordered him into the yard and fired at him, wounding him in the thigh. The same party visited other persons' houses and inflicted injuries upon them when they refused to answer questions. On the 10th of March, at Knockadoon, Timothy Connelly's house was entered. He was shot in the arms and legs, his wife was shot in the head and thigh, and his daughter was also wounded, his offence being the payment of his rent and the giving information to the police as to certain outrages. In this particular district Miss Reynolds, a member of the Ladies' Land League, had been agitating, and undoubtedly she went down, having her expenses paid with Land League money. On the 30th of March, 1882, Arthur Herbert was murdered near Castleisland. He had been denounced in a speech that I have already read. When walking along the public road on his way to petty sessions he was fired at and shot. It is impossible to exaggerate the wickedness of these offences or of the men who instigated them. On the 17th of April, 1882, John Callarty was fired at and so badly wounded that his leg had to be cut off. He had pointed out certain land to the officers of the law. On the 20th of July, 1882, a bailiff named Kerry was shot at and wounded in the leg, his only offence being that he was working for an unpopular landlord. On the 20th of August, 1882, Daniel Leahy, a farmer, aged 60

years, of Scarteen, near Killarney, was murdered. He was a tenant of Lord Kenmare, and was suspected of having obtained for his son-in-law through his influence at the rent office a farm which had been put up for auction and for which Leahy was outbidden at the auction. About midnight a party of six or seven men, armed, burst into Leahy's house, proceeded to his bedside, and ruthlessly tore him from beside his wife, who did all in her power to save him, but without effect. Leahy was dragged into the kitchen, his wife still clinging to him, but she was pulled away, and after the unfortunate man had been placed upon his knees three shots were fired at him, all of which took effect in his abdomen and from which he died. One would have thought that this crime would have excited the pity even of the constitutional agitators. But though it was generally attributed to the Land League, the leaders of the League did nothing to condemn it. On the 14th of May, 1883, James Walsh, who was the caretaker of an evicted farm, was attacked by a party of men and injured by gun-shot wounds. I will leave the later outrages until I have referred to the later speeches. And now, my Lords, I wish to call attention to the speeches made about the same time in the county of Mayo. As far as we can gather Galway was organized and worked by Harris, Gordon, and Nally, who were sent down to deliver a series of speeches in that county, while in Kerry Boyton and the Harringtons were the chief agitators. Mr. Biggar was also a speaker at some meetings, but, being a person of more importance, with possibly even more important work to do, he did not visit Kerry very frequently. In regard to the county of Mayo I shall show your Lordships how that county was worked. I shall not, however, be able to refer to all the speeches that were delivered, and in some cases we have only the resolutions that were passed. The first meeting held in the county of Mayo to which I would refer your Lordships took place at Irishtown on the 2d of May, 1880. Mr. Boyton said there was an old adage which says "Show me your company and I will tell you who you are;" it was a proud ambition of his to be in the company of Mr. Parnell and Mr. Davitt. It was the first time he had set foot in Mayo, and he would go back to the Land League of Kildare and tell them that the cows in Connaught have long horns. Mr. Davitt

reviewed the work done by the agitation, which, he said, had shown the tenant farmers their great strength; had brought them together in vast numbers; the force of landlordism was nothing against the vast masses of the people; it had convinced them that they had rights to the soil of Ireland—rights far more strong and more superior than the landlords'; and it had infused into the people such a spirit that they are resolved to fight for those rights until victory crowned their cause. "The Land League had called upon the people to pay no rent until they got a reduction, to look to their own comforts, and then offer the landlords what they could spare. You have triumphed over both the landlords and the Government and by your action have made the landlords the weaker party. Then, in the name of reason, in the name of justice and common sense, let the landlords go to the wall." Mr. John J. Loudon said:—

"Not alone have we on the platforms of Mayo, Galway, Sligo, and Leitrim preached the gospel of the people's social regeneration, but we have carried the war into every possible avenue of attack where we could strike landlordism low. We often hear the expression that our meetings are communistic, but I here declare, in the face of heaven, that the land does not belong to the landlords, but to the people. You must not let any man bring a charge of communism against us, for the cause we are advocating is the cause of humanity and of God."

Mr. Parnell called upon the people to renew the pledge they had made twelve months ago to keep a firm grip of their holdings, to refuse to pay an unjust rent, and to stand by the struggle until the lands have passed into the possession of the people. "The Irish National Land League was then a struggling institution; to-day it is known all over the world; Canada, Australia, and America are pouring in their money to help them. It is impossible for the 600,000 tenant farmers of Ireland to be overwhelmed if they combine together. We will protect you by fighting in the Courts points of law, and out of the Courts by creating a public sentiment against landlord exterminators; and if by any chance, in any place, a landlord should get the upper hand of his tenantry, we will see that better and happier homes will take the places of those they have lost. I leave this cause, then, in your hands, believing that we are commencing a renewal of

agitation on the land question greater in intensity than that which signalled last winter." I do not see how it is possible for any one to contend that this was not a conspiracy, an organization started and intended to be worked by agents in various parts of Ireland. It was a conspiracy which never could have been carried on by two or three men in the first instance, but must, as its influence increased, be worked by means of agents, and it is for that reason that I have said that the principal charge made in "Farnellism and Crime" is that these leaders connived at and winked at the work being done. It is not charged that they themselves personally went and planned the outrages, but that other men were doing it for them, and that of that system they took the advantage and never stirred hand or foot to put a stop to it. Without this thorough organization, as they called it, it would have been impossible for Mr. Parnell to be supported by the members who subsequently supported him in Parliament, and the men who were nominated to take those places would never have been nominated at all. I will call your Lordships' attention next to a speech made at Ballintaff on May 3, 1880, by the same M. P., Boyton. He said he represented Mr. Parnell at the meeting that day, and proposed a resolution protesting against the tyrannical power that had driven two of their fellow-countrymen (M'Hugh and Walsh) out of the country, and pledging the people to take care of their holdings until they returned to resume possession of them. "The cause they have in hand is known to all, and if that cause is right it will succeed, in spite of the whole British Empire. It is right, and it will succeed. We are going to tear down this most infamous structure. We are going to protest against the most infamous imposition of laws. I was told here to-day that the arm of the law—the rotten arm of strength—was sent here for your protection; but I think the men of Mayo are able to take care of themselves. (Cheers.) The seed that you have sown to-day will come up and astonish the whole world. Let who will take up the crop, the crop that will follow it will be more significant when the question of the right to the land will be decided. I want you to bear in mind that the man who is to-day the recognized leader of the Irish people is taking advantage of a weapon greater than the sword—the pen. We have a faithful and

efficient staff of men, who are putting before the eyes of the world—greater empires than the British—that every power will be used against them. I did not come here to make a speech. I came here to describe in great round Roman type before 500 audiences in the Great Republic of the West." The Rev. Mr. Corbett, Catholic curate, also spoke. He said :—" We will hold our farms and keep a firm grip of them ; we will at least terrify the landlords so far as we can, that they will relinquish their hold upon the land." Referring to some vacant holdings on a local property, which, however, he did not name, he called upon the people never to dream of going into possession of these holdings again ; let them lie waste, and put this tyrant down. At this meeting a placard was displayed, having the inscription, " Let no man take this land." At the same meeting Mr. John W. Walsh said it was from the lips of Father Corbett he had first learned to hate landlordism. " I am here to-day," he said, " to assist you to denounce that system. God made this world for His own glory and man's benefit. He never intended that a few lazy people should own the land." On June 13 of the same year, 1880, J. W. Nally, an organizer who was doing work in Galway during part of the same autumn, spoke at Ballyglass. He said :—" The Peace Preservation Act is abolished altogether ; each of you can get a licence for 10s. Well, by paying 10s. you can shoot the whole year round. The Act is this, that you can shoot jackdaws, magpies, vermin, and nuisances. (A voice,—' The police.') Don't shoot the police, and the landlords and land-grabbers are not brought under it. I am not telling you to shoot, but I am telling you what you can do, if you like. There is only 10s. licence for the whole year round. You will have to pay £3 for game, but the other applies to the vermin line. Without unity we cannot get rid of the land-sharks and land-grabbers." Nally then read a resolution condemning the conduct of any person who would take an evicted or surrendered farm, and compared such conduct to that of the robber soldier who pierced the heart of Christ. No doubt my learned friend has tested the accuracy of our reports by other reports of the speeches I have read, and if there can be anything that can qualify language such as I am referring to, my learned friend is entitled to take advantage of it : but all I

can say is that it will be for your Lordships to judge whether the statements made by the reporters, particularly having regard to what I have already put before you, do not represent with substantial accuracy the pith of the speeches, and show that they were intended to be made for the purpose of inciting the people to the conduct which followed. Next, my Lords, at Shrute, on June 20, 1880, P. J. Gordon, the man I mentioned yesterday, made a speech. He commented upon the absence from the meeting of the parish priest, and remarked that he bears the name of Good, but he is damned little good. He (Gordon) left it in the hands of the people to chastise those who are against the people. He did not care if "half the throats of our enemies were cut before morning." Gordon then related a story of an attempt that had been made by a landlord to evict a tenant of his (a woman). The woman stood up, took from the hearth a tongs, and smashed the head of the robber. She was not guilty of a crime. He asked the women there that day to act the part of the soldier, to allow no robber to enter their cabin. If they drove the robber from their cabin door their name should pass to every quarter of the globe. He alluded to two men, David Bourke and his son-in-law, who, he said, were in treaty for an evicted farm, previously held by one Thorton. The people groaned at this, and J. W. Nally observed that groans were of no use, and added, "Refer it me for my pills I have got lately." "O'Connell once said that the land of Ireland would be dearly bought at one drop of blood, but I differ from him. It is better for you to lose your blood as Allen, Larkin, and O'Brien did, and we are determined to do the same. Away with the land-robbers; in referring to the land-sharks and robbers, unfortunately we have them in our midst. I ask you in the name of Ireland to treat them with contempt. (A voice.—'Give them what Lord Leitrim got.') (J. W. Nally.—'You are too cowardly to do that.') Don't forgive them, they have sold their nationalities and away with them. I don't care by what form a man is robbed; whether by day or by night, you must look upon it as robbery. It is quite the same to a dog how he is killed—by choking him with a rope or with butter." J. W. Walsh also spoke. He protested against the eviction of a tenant named Pat Kevil by his landlord, Mr. Bourke, of Ower. He said

he was present, deputed by the Irish N. L. L., to offer any assistance towards explaining the objects of the movement. He was present as an Irish Nationalist to proclaim the doctrine of Irish nationality. He had taken an active part in the agitation since its initiation, and he would be sorry to say one word in favour of the N. L. L. if he saw it interfere with that pure and holy name of Irish nationality. "Whenever you meet a land-grabber, land-robber, or land-thief, raise your cry to Ireland, that it may sound in his ears. Landlordism has been swept away by the people of France, &c. Are we to lie up and see the bastard come into our cabins? A tyrant comes in and says you must get up, I want this cabin. What would be the feelings of that man? Aye, I don't know what would curb that man's feelings from dark imaginings, or his hands from bringing them into effect." This, my Lords, is the speech of a man who had been deputed by the National Land League to give his assistance in explaining the objects of the movement. He had heard this speech of Gordon, and he, as representing the National Land League, gave the people that advice and never uttered a word of repudiation of the doctrines that had been preached to them. On July 4, 1880, at Bohola, there were present at a meeting J. W. Walsh and J. W. Nally. Walsh on that occasion said :—"There were many reasons that gave him pleasure that day, and that was to raise his voice in praise of American Independence, and he hoped the Irish people under the leadership of O. S. Parnell will have Ireland a free nation yet." At the conclusion of his speech, J. W. Nally came forward and said :—"There has been more good done since this day week than all the speaking—the pills." (A voice.—"Three cheers for Rory of the Hills !") (Cheers.) Very shortly before this speech was made an outrage had taken place in the immediate neighbourhood, a man having been shot ; and your Lordships will find, if you think the evidence I shall bring before you is true, that these men were, practically speaking, repeating the same advice and using the same language in various parts of Ireland. These men were not gifted speakers selected for their eloquence, but they were men who were selected and paid for the purpose of going out and organizing this kind of work, and for the purpose of promoting the interests of the National Land League by such speeches. I believe it will appear,

with reference to that statement, "there has been more good done since this day week than all the speeching," that at the very time it was made a man in the neighbourhood was lying dying from the effects of a fatal shot—a man who had committed no offence except that he had in some way offended those who worked the Land League. On July 11, 1880, at Cong, Mayo, P. J. Gordon, Matthew Harris, J. W. Walsh, and Father O'Malley were present at a meeting. On that occasion P. J. Gordon said:—

"The man who takes an evicted farm I will point him as a greater assassin than the man who fires a pistol-shot. If you sweep away landlordism, everything will prosper in this land. They say we are promoting assassination; but is it not enough to make an assassin of any man when he sees his family sent forth on the world? Swear before Heaven that this land you are determined to maintain. If you are determined to be free you must strike the blow against landlordism. I will sketch over the attempt at Ballinrobe. They have run over to Claremorris and took one man from among us. But they wanted to have one bird in the nest. They knew he had nothing to do with the murder. The police went as far as Queenstown and arrested those men on their way to America. I stole away five of them, and before another week elapses two will be away too. If there were a crime committed against the man, let them find out the guilty party."

The mention of Ballinrobe had reference to an outrage that had taken place there. A man was then lying on his death-bed suffering from the effects of a shot received a few days before. I have spoken to your Lordships of the means adopted by the organization to obtain a fair trial for the men who shot landlords, but now the operations seem to be carried a step further, and, practically speaking, Gordon says that he had something to do with keeping these men out of the way. Those are the tactics which were preached, and those are the instructions that were given to those poor ignorant men. Father O'Malley said:—

"The Irish National Land League is the hope of the peasant. Unity is strength. If you take a piece

of thread you can snap it, but put a thousand pieces together and they will hold a ship. You will put them round landlordism and lash it to the ground. Talk is cheap, but what we want is action. The landlords have murdered the people—driven them to die in the workhouse, or sent them to the bottom of the Atlantic. I say this is murder. A man said to me, 'Is it not a savage thing to take away a man's life?' But what shall you say to the man who brings it upon himself?"

It is all very well to talk of this as a political agitation. It is a direct attempt by means of attacking the tenants, and through them the landlords, to promote the end whereby the landlord "garrison" was to be removed altogether from Ireland. That was part of the system whereby this Land League organization was going to do the work which would be palatable and acceptable to the extreme party in America; and, as your Lordships will find, in consequence of that very large subscriptions came from America, and, as I have said, a very large amount of that money still remains unaccounted for in the hands of the leaders of the organization. At Clooneal, on September 19, 1880, J. W. Walsh, John Sweeney, and J. W. Nally spoke. The latter said he had seen some land-grabbers, both that day and the day previous, at Killalla, "and they had the look of Judas Iscariot who slayed Christ on the cross. I hope you will buy a lot of those pills that I will be selling. Any man can have a rifle and use it; they are very cheap now. I tell you you can shoot. There is no close season for shooting vermin. (Cheers.)" He then proposed a resolution declaring that no man should take an evicted farm; any such man should be looked upon as worse than the robber soldier who pierced Christ on the cross. Continuing, he said that "the words that have flown from his lips were not up to the wishes of his heart, because he would like to do away with landgrabbers and landsharks. The people want something more than speechifying. It was no use unless they went hand in hand under the standard of Wolfe Tone and Emmet, and on the same scaffold as Allen, Larkin, and O'Brien. Until that was done they would never have total separation." Your Lordships will not fail to notice again this idea of separation being brought out,

in order that when these speeches came to be reported, and the accounts of the meetings came to be sent to the other side of the Atlantic, to America, it might be found that they were carrying on that part of the programme which was acceptable to their American friends. Before this inquiry is finished your Lordships will have little doubt as to what was the effect upon America of these speeches which were being made from day to day and from month to month in Ireland. Sweeney seconded the above resolution, and Walsh said he was glad to see the light was spreading, thanks to Redpath and others like him. "Any man who gives away his harvest and does not keep what will support his family, he is guilty in the sight of God. If the land is not able to supply you don't pay any rent at all." With regard to the statement about "spreading the light," your Lordships will find that there was what was called a Spread-the-light fund, and that the expression was commonly used both of speakers in Ireland and of American literature, and one of the ways in which the light was to be spread was by the circulation in Ireland, among other papers, of the *Irish World*. The *Irish World* was a paper which, by its articles and by the speeches reported in it, openly advocated the use of dynamite, assassination, and all kinds of acts of violence, and some of the men whose names are implicated actually applied for thousands of copies of the *Irish World* to be sent over, and Mr. Parnell himself publicly thanked the *Irish World* more than once for the good it had done to the cause of the Land League. More than once, too, you find persons who are included in these charges in close communication with the representatives of the *Irish World*, and many of them are quoted in the *Irish World* as advocates of the course of conduct I have been denouncing. It may be said by my learned friend's clients that this association was perfectly harmless; that they knew Ford, but did not then suspect him to be the man he was. They may say "It is true we knew Byrne, but we did not know he was the criminal we now believe him to be." But what I shall be able to show your Lordships is that these men, of whom Byrne was one, were only known as dynamiters or the advocates of dynamite and assassination, or persons disseminating in the American Press the light which was to be spread in Ireland. Therefore it will

not be difficult for your Lordships to come to the conclusion that the association between the Irish and American sections was kept up for no other purpose than for the promotion of a common object. It cannot be said that these men, who had in view the complete separation of Ireland from England by any means, were associated with what has been falsely called a constitutional agitation. I referred just now to the expression "Spread-the-light." It was used by Redpath, one of the most violent speakers. He was the correspondent of the *Irish World*. He on one occasion denounced the Queen and the constituted authorities in such a violent speech that, as I pointed out in my opening observations in the action "O'Donnell v. Walter," Mr. O'Donnell himself had to repudiate it, and other members of the National party had to apologize for it and endeavour to put a different gloss upon it. On October 10, 1880, a meeting was held at Ballyhaunis, county Mayo, at which Mr. Mat Harris and James Daly were the speakers. The latter said that Lord Mountmorres was not worth shooting as a landlord. He was shot because he fined a man at Clonbur Petty Sessions 10s. for pulling heather and for being a seducer. These remarks are also corroborated by Daly's own paper, the *Connaught Telegraph*, of October 16, 1880. Mr. Mat Harris said that the liberty and independence of their country was to be gained by fighting, not by talking. "No people ever gained liberty in a permanent and substantial form without fighting and dying for that liberty. Let the people of Ireland make up their minds to this, if they have any nationality and wish for severance from England; let them one and all make up their minds to this. They have the game in their own hands; beware of him who would tell you to pay your rent." These remarks are corroborated by the *Connaught Telegraph* newspaper of October 16, 1880. On April 8, 1881, at a meeting at Ballintaff, Mr. J. P. Quinn spoke. He was secretary to the National League, and I have seen his name in connexion with one of the branches of the Land League. He said that he left Dublin the day previous with the intention of being present at this meeting, as the representative of the Land League, for the purpose of "denouncing the person who was about taking those farms;" but he was glad this disagreeable duty did not now fall to him.

as the man who was going to take those farms had come forward and disclaimed that such was his intention.

"I may say, as one who has been identified with this movement from its inception, that I would not give one day in the furtherance of the land movement if I did not believe that the day will soon come when the banner of freedom will float over us, and the iniquitous landlord system will be abolished for ever, and the British Government done terrorizing over us. Let no man be guilty of the treacherous conduct of betraying your country and the sacred cause by occupying a farm from which a tenant has been evicted; and if any man is so guilty, shun him as you would the very devil; boycott him."

Would your Lordships observe the connexion? The idea is that the banner of freedom is to float over their land, that the iniquitous landlord system is to be abolished for ever, and that the British Government is to cease terrorizing over them. These three laudable objects are to be attained by preventing people from being guilty of the treacherous conduct of betraying their country by occupying farms from which tenants have been evicted. The fact was that they believed that, if they could not succeed in subjecting the Irish tenantry to the tyranny which I have been describing, the movement would fail because honest people would not be in fear and would refuse to join in it, and there would not be enough dishonest people to form such an army as could achieve the objects in view. At the same meeting P. J. Gordon, in the presence of the Rev. J. Corbett and Mr. Quinn, called the Government "a bloody British Government." He said the land-grabber would be looked upon "in the light of a Judas, who dipped his hands in the same dish with Our Lord, and afterwards betrayed him;" that "the man who violates the rules of the Land League is a Judas, and must be looked upon as such." He went on :-

"We have met here again to-day to denounce any man that enters on this farm, and if any man takes it we will make it a hot shop for him. And, lest it may not be heard or understood, I say again that we will make it a hot shop for him. I say that the English Government is the most tyrannical, the most despotic, and most damnable in the whole world. If you had

the bold spirit of the Boers you would have your country free 100 years ago. (Cheers for the Boers.) (Commit no crime ; stick to the system of boycotting." After that speech I think he, too, might have said, " Do you twig ?" Your Lordships have had already 20 or 30 instances with respect to which I have shown that if boycotting was not sufficient by itself it was reinforced by crime. Will my learned friends say that the words which I have read constitute an earnest appeal to the people not to be guilty of crime ? If they do, I shall ask your Lordships to draw your own conclusions. I will now pass to speeches delivered on October 31 at Shrule by J. W. Nally and R. D. Walsh, Land League representatives. Many banners were conspicuous at the meeting, bearing such inscriptions as—" Down with land-jobbers ! Ireland for the Irish !" " Down with landgrabbers !" (with pike and gun crossed) " I'll cock my musket, says the Shan van voght." Also a " Stars and Stripes." Nally said, " He had suggested on one occasion pills ; but he found that pills had got mild, they were nothing but sweets. He would now suggest something stronger—dynamite, gun-cotton. He would not tell them to shoot any one, but they could do so if they liked. ' Stick to your homesteads, and any man that evicts you, you know what to do.' " R. D. Walsh said :— " There was no one present who had done more to advance the cause of nationality than Mr. John Nally and himself. They were there to say that landlordism was opposed to the best interests of Ireland. If he knew that the National Land League was antagonistic to Ireland he would declare that he would have nothing to do with it. By destroying landlordism they would be laying the foundation-stone of national independence, and they would then be able gloriously to build that edifice for which Emmet died and for which Lord Edward bled. He had been told there were only two parties, the National Land League and the Fenians." (Cheers for the Fenians.) Speaker—" Three more cheers for Fenianism." (Cheers.) " Are we to be told that the National Land League and Fenians cannot unite ? We have only one enemy—the English Government. The cause of every farmer who is a Land Leaguer is the cause of every man who is a Fenian." He concluded, amid cheers, by asking the people to band themselves together in the Land League. I

should be surprised if that line of argument were followed by any of the eminent counsel who represent here the persons charged. If they should follow it, I would point out that it would be a practical justification of "Parnellism and Crime," for it is maintained there that this conspiracy, started in 1879, and carried on through 1880 and 1881, only existed on the faith of the representation made by its advocates that by attacking the land system the ends of the land agitation and of Fenianism would both be attained. At a meeting at Roundfort, Mayo, on April 10, 1881, when there were present, among others, Peter Mullaghy, hon. secretary of the Kilcommon branch of the Land League, and Edward Walsh, assistant secretary, P. J. Gordon said :—

"He came there at the invitation of the Kilcommon branch of the Land League. A sum of £30 had been sent by the Irish National Land League for the sufferers and friends of those persons in gaol in connexion with the Clarsen affair ; it would be distributed, and £5 given to each. They were bound to resist that law which had deprived their forefathers of the land that was theirs, and who were evicted without mercy. There was no remedy ; the thing went on until we saw half a dozen men sit down and say they would make a move. You know the result. (Cheers.) (At this point Mr. Pringle passed on a trap and was groaned.) I for one took an active part in the land movement from the beginning. I was tried for the part I took in the Four Courts, Dublin. I will stick to my last, and that is the land question, and tell the murderous British Government it is killing the Irish people. . . . If you have any land-grabbers among you don't speak to them ; shun them as if they were the devil ; don't speak to him in the chapel ; no person or law can compel you to speak to any person you don't wish to speak to. If the blood of one landlord shot cries to Heaven for vengeance, how much more the blood of millions of the Irish people murdered by eviction and starvation. (Cheers for the Boers.) The Boers are the boys can bone the English soldier. The Boer country is not bigger than the city of Dublin, but they said to the English Government that they would have to kill every man, woman, and child before it would get them to surrender their rights. If the Irish people held out like the Boers, the landlord and agent would

soon be glad to settle them, and give them all they wanted. I have a few words to say about the Arms Act. I do not want you to send the first instalment to the police, like that sent to the Home Secretary. Keep your own arms ready and your firearms safe ; let the police go to look for them. The Government says it will pay you for them, but if you give them up you may go and look for payment. You paid for these arms ; they are your own. Keep them safe, and your own arms ready, as a day may yet come when the Irish people may be called on to fight for their country. I got some of my limbs broken in this land movement, but my heart is not broken, and I hope I may live to see the day—and if ever any of my limbs are again broken, I hope it will be on some hillside, fighting for the independence of my country." (Cheers.)

He then made a reference to Robert Emmet, and said :—" If he were alive he would fight for his country, but the people were not organized then as now. They are organized now." (Cheers.) Your Lordships know how the organization worked. I suppose that the Mr. Pringle who was groaned when passing was an obnoxious individual. On April 13, at Claremorris, P. J. Gordon, in the presence of Father Corbett, said :—

" Three cheers for Father Corbett. Keep the flag flying, boys ; don't let it go down. I will be out yet to fight the battle against the land thieves. Keep your powder dry, boys, and blow Bourke to blazes some fine morning—Walter of Curraleigh. He has all the money his father robbed from the poor tenants sunk in that place below, and now the devil has himself down in the grave or somewhere else. That is the devoted Catholic ; see his work after yesterday. In one case he threw out 13 weak children and brought 300 police to evict them. It was not the fault of the police, they were bound to come, and they acted as men there ; they made up a subscription for a poor man that was starving. Let no man say a word to a policeman ; but there is another bastardly dog there—Carter. Any one who would look at him would know that he was a bastard. Carter, the bastard, mind him."

Your Lordships will observe the reference—" Blow Bourke to blazes—Walter of Curraleigh." That was

the Mr. Bourke who was subsequently shot. If that was not a direct incitement to the crime afterwards committed, what was it? Mr. Bourke, of Curraleigh, had property both in Mayo and Galway. Now, I have to give your Lordships as briefly as I can the particulars of the outrages which took place contemporaneously with the speeches delivered in Mayo. In a period of about a year and a half from the beginning of 1880 there were five murders, 14 cases of firing at and wounding people, 18 cases of firing into houses, and a very large number of other outrages of a less serious character. On March 28, 1880, the house of Michael Nolan was attacked by an armed party at 3 o'clock in the morning. The house was fired into, and both Nolan and his wife were assaulted, and they were told that they would be again attacked if the land was not given up. In May, 1880, occurred Feerick's case. I will refer to some speeches that preceded the outrage, for the connexion between the speeches and the outrage is remarkable. Feerick was agent for Mr. George Browne, and he took some land which had been in the possession of a woman named Geraghty. The Land League meetings in the district had begun in April, 1879. There was a series of meetings, but I have not the reports of the speeches delivered on the early dates. On May 2 and 3, 1880, there were speeches by Davitt, Parnell, and Boyton, and on the 4th, the day after the meetings, Feerick was shot at and wounded, but not severely. On June 13 occurred the meeting at Ballyglass, when Nally told the people that everybody could carry arms and that 10s. could procure a licence to shoot vermin. On June 14 placards were posted about Ballinrobe announcing that the names and addresses of land-grabbers would be published. On June 20 came those speeches by Walsh and Nally which I have read, and which contained references to extreme violence, and on June 29 Feerick was shot, receiving a wound from which he afterwards died. The outrage occurred at 3 o'clock in the afternoon, in broad daylight, close to the town. He was shot in the back, the arms, the right thigh, the right hip, and left eye, and he was left for dead in the road, no one assisting him. He was subsequently removed to the hospital, and while he was lying dying from his wounds Nally made the speech in which he said that something had been done there last week

that was better than speechifying, and in which he again referred to pills. On July 11 occurred a meeting, at which Mat. Harris, Gordon, and Nally again spoke, and on August 15 Feerick died. He was, I believe, on his way to Ballinrobe to attend the sessions when he was shot. It is impossible not to connect this outrage with the agitation that had sprung up under the auspices of the Land League and with the incitements of various speakers. On January 4, 1881, occurred the case of Patrick Kirwan. He was taking care of a crop on an evicted farm. All that he had done was to take care of this crop for the landlord. His house was attacked; he was dragged out of it, kicked, and carded in the face. I described to your Lordships yesterday what they do when they card a man. They take this implement, which is used for the carding of wool, and wound the man's flesh by dragging the weapon down his face. On February 28, 1881, there was an attempt to murder John Hearne, Petty Sessions clerk at Ballinrobe. On May 18, 1880, there had been some eviction proceedings. Certain men were evicted and were then readmitted as caretakers. On the same day there was a meeting in Ballinrobe, and one of Hearne's sons was pointed at by J. W. Nally, one of the speakers, and mobbed as he was returning to his home. I can do no more than say that they regarded this man, who was clerk of Petty Sessions, as being somebody connected with the law, and I suppose he had something to do with the enforcement of the law, and was therefore likely to be unpopular. A threatening notice was, in the month of November, sent to him by post, telling him that if one tenant was put out in Cloongowla he, John Hearne, would have to leave the neighbourhood, and signed "A Boycotter." Proceedings had been threatened by the owner of the estate. Hearne was the official by whom some notice would have to be served, and he was also agent for the owner. On February 28, at 2 o'clock in the day, within 200 yards of his own house, he was attacked by two men, who fired at him with a revolver, and he was wounded in six places, and I believe his hearing has been permanently affected. He has had great suffering from the wounds, he was obliged to give up all his agencies and his clerkship of Petty Sessions, and is likely to suffer all his life from the wounds inflicted upon him. On November 17, 1881, Luke Dillon was murdered. He

was bailiff to Mr. Farrell. The Land League having some idea that Farrell might have some pressure brought to bear on him, vengeance was wreaked upon his agent. On November 17 he was shot about half-past 8 o'clock in the evening. On December 15, in the same year, the houses of Michael Flynn, Thomas Mooran, and James Mooran, three tenant farmers, were attacked at night. They were dragged from their beds. Their offence was that they had all three paid their rents, which they were not to pay as long as Mr. Parnell was in Kilmainham. I do not know whether it will be suggested that the persons who put Mr. Parnell in Kilmainham are responsible for that. But I think your Lordships will be of opinion that it was something very much nearer at hand. On March 15, 1882, George Shane Carter, who resides at Belmullet, or in the neighbourhood of that place, was owed rents for three or five years. He offered to accept one year's rent. As he was returning home from seeing some of his tenants he was shot in the leg at his own gate and very seriously injured, and, in consequence of the effects of his wounds, was for a long time in a very serious condition. Peter M'Greevy, a small farmer, living near Castlebar, was supposed to have given some information to the police. At 10 o'clock on the night of March 25, 1882, his house was attacked. When he heard the men knocking at the door, and saw that their faces were concealed, being a courageous man, he opened the door and chased them, and they ran away. They came back and shot at him through the door, and the shot as nearly as possible struck him in the face, and by another discharge his wife was shot and injured in the eyes. On May 11, 1882, Thomas Barrett was murdered, and I ask your Lordships' special attention to this case. There was a landlord named Bingham, who had a farm of 12 acres, from which he evicted a tenant in 1871, and Barrett occupied the farm for four or five years. On October 23, 1880, this notice was posted:—"To all whom it may concern, that for the welfare of the Irish tenant farmers, grazing must be put down for the exclusive benefit of a few landsharks; every man must observe this rule, especially those deluded sordid serfs or slaves, whose motto should be self-interest and safety in helping to comply with the interest of their fellow-countrymen, and help to put down those tyrant landgrabbers ;

make them clear off the Irish lands for Irish hands to till ; the lands must be left without a beast to graze on until the land thief is brought to a sense of justice. Down with monopoly ; your second notice shall be a bullet, so drop the grazing in time—i.e., before November 1." That was posted on the farm of which Barrett was the occupier. He gave up the farm on November 1, 1880, and it was let to a person named Carter. He took the farm again from the same landlord on May 3, 1882—that is, having occupied one farm, he took another from the same landlord. Within a week he was fired at in his house as he and his wife were getting into bed, and in the room where his children were sleeping. He was wounded so severely in the hand and hip that he died in two hours. It would certainly seem a most remarkable thing—persons were called landgrabbers in the speeches I have been reading, which were made in county Mayo. What is it that the man Carter has done that makes him worthy of being shot ? Only two motives can possibly be suggested—one, that he has in some way wronged some other man and that man takes vengeance on him ; and the other, that he is the victim of some scheme which makes it necessary that no land shall be occupied that has been evicted. All I submit is this—that to say that because A and B may have had a dispute, therefore C, who had nothing to do with the matter, shall be treated as being a leper, an outcast, a criminal, and vermin, and be boycotted, and, if necessary, killed, because he has taken possession of land in order to gain a living ; to say that kind of doctrine is to be taught, promulgated, encouraged is the most infamous, intolerable tyranny that can possibly be suggested, and to say it is constitutional agitation is a gross abuse of terms and an outrage on the understanding and the use of language. This organization could only exist, could only get its power by such conduct as would result in such outrages that could maintain the law of the League as against the law of the land, which, by properly constituted authority, would preserve the peace and allow persons to go about their proper business uninterrupted. I have a long list of other firings in Mayo ; but, inasmuch as I have called your Lordships' attention to the murder cases, it will probably be sufficient if I pass from that county without giving at present the dates and details of other outrages

there. I have now to call your attention to a document which was signed, or purported to be signed, by Mr. Parnell, in Kilmainham, Mr. Kettle, Mr. Davitt, Mr. Brennan, Mr. Dillon, Mr. Sexton, and Mr. Patrick Egan. Mr. Davitt, who was in Portland Prison, did not at the time put his name to that, nor was he in any way consulted about it. I am reading from a report in the *Freeman's Journal* of a meeting at which this manifesto was read by Mr. H. Campbell, the gentleman whose name is mentioned in the particulars, and who is now M.P. He read a number of telegrams, one from the *Irish World*, stating that Henry George had left America and was on his way to Ireland. The date of the occasion on which the manifesto was read was October 18, 1881. There were present at the meeting Mr. Biggar, Mr. T. D. Sullivan, Mr. Leamy, and a number of Roman Catholic priests. The secretary, Mr. Campbell, read the manifesto :—

“ To the Irish people.—Fellow countrymen,—The hour has come to test whether the grand organization built up during years of patient labour and sacrifice, and consecrated by the allegiance of the whole Irish race the world over, is to disappear at the summons of a brutal tyranny. The crisis with which we are face to face is not of our making. It has been deliberately forced upon the country, while the Land Act is as yet untested, in order to strike down the only power which might have extorted any solid benefits for the tenant farmers of Ireland from that Act and to leave them once more helplessly at the mercy of a law, invented to save landlordism and administered by landlord minions. The executive of the Irish National Land League, acting in the spirit of the resolutions of the National Convention—the most freely-elected representative body ever assembled in Ireland—was advancing steadily in the work of testing how far the administration of the Land Act might be trusted to eradicate from the rents of the Irish tenant farmers the entire value of their own improvements and to reduce these rents to such a figure as should for ever place our country beyond the peril of periodical famine. At the same time they took measures to secure, in the event of the Land Act proving to be a mere paltry mitigation of the horrors of landlordism in order to fasten it the more securely upon the necks of the people, that the tenant farmer should not be delivered blindfolded into the hands of

hostile law Courts, but should be able to fall back upon the magnificent organization which was crushing landlordism out of existence when Mr. Gladstone stepped in to the rescue." (Not, my Lords, a very inapt description of what the Land League was trying to do.) "In either event the Irish tenant farmers would have been in a position to exact the uttermost farthing of their just demands. It was this attitude of perfect self-command—impregnable while there remained a shadow of respect for law—and supported with unparalleled enthusiasm by the whole Irish race, that moved the rage of the disappointed English Minister. Upon the monstrous pretext that the National Land League was forced upon the Irish tenant farmers—an organization which made them all-powerful and was keeping them by intimidation from embracing an Act which offered them nothing except helplessness and uncertainty—the English Government has cast to the winds every shred of law and justice, and has plunged into an open reign of terror in order to destroy by the foulest means an organization which was confessedly too strong for it within the limit of its own English Constitution. Blow after blow has been struck at the Land League in the mere wantonness of brute force. In the face of provocation which has turned men's blood to flame, the executive of the Land League adhered calmly and steadily to the course traced out for them by the National Convention." (Your Lordships will hear in the course of this case what the course traced out at the National Convention was.) "Test cases of a varied and certain character were, with great labour, put in train for adjudication in the Land Court. Even the arrest of our President, Mr. Charles Stewart Parnell, and the excited state of the popular feeling which it evoked, did not induce the executive to swerve in the slightest from that course, for Mr. Parnell's arrest might have been accounted for by motives of personal malice, and his removal did not altogether derange the machinery for the preparation of the test cases, which he had been at much pains to perfect. But the events which have since occurred—the seizure or attempted seizure of almost all the members of the executive and of the chief officials of the League upon wild and preposterous pretences and the violent suppression of free speech—put it beyond any possibility of doubt that the English Government, unable to declare the Land League an

illegal association, defeated in the attempt to break its unity, and afraid to abide the result of test cases watched over by a powerful popular organization, has deliberately resolved to destroy the whole machinery of the central League, with a view to rendering an experimental trial of the Act impossible and forcing it upon the Irish tenant farmers on the Government's own terms." (That, of course, was the Land Act.) "The brutal and arbitrary dispersion of the central executive has so far succeeded that we are obliged to announce to our countrymen that we no longer possess the machinery for adequately presenting the test cases in Court, according to the policy prescribed by the National Convention. Mr. Gladstone has, by a series of furious and wanton acts of despotism, driven the Irish tenant farmers to choose between their own organization and the mercy of his lawyers, between the power which has reduced landlordism to almost its last gasp, and the power which strives, with all the ferocity of despotism, to restore the detestable ascendancy from which the Land League has delivered the Irish people."

I believe your Lordships will find that the power was that which had carried out through the years 1880 and 1881 the outrages upon the tenants and upon some few landlords, and nothing else, and that this was a direct reference to the work which had been performed by the Land League and its branches prior to this manifesto.

"One constitutional weapon now remains in the hands of the Irish National Land League. It is the strongest, the swiftest, the most irresistible of all. We hesitated to advise our fellow-countrymen to employ it until the savage lawlessness of the English Government provoked a crisis in which we must either consent to see the Irish tenant farmers deprived of their organization and laid once more prostrate at the feet of the landlords and every murmur of Irish public opinion suppressed with an armed hand, or appeal to our countrymen to at once resort to the only means now left in their hands of bringing this false and brutal Government to its senses. Fellow-countrymen, the hour to try your souls and to redeem your pledges has arrived. The executive of the National Land League, forced to abandon the policy of testing the Land Act, feels bound to advise the tenant farmers of Ireland from this time forth to pay no rents under any circumstances to their land-

lords until the Government relinquishes the existing system of terrorism and restores the constitutional rights of the people. Do not be daunted by the removal of your leaders. Your fathers abolished tithes by the same methods without any leaders at all, and with scarcely a shadow of the magnificent organization that covers every portion of Ireland to-day. Do not let yourselves be intimidated by threats of military violence. It is as lawful to refuse to pay rents as it is to receive them. Against the passive resistance of an entire population military power has no weapon. Do not be wheedled into compromise of any sort by the dread of eviction. If you only act together in the spirit to which, within the last two years, you have countless times pledged your vows, they can no more evict a whole nation than they can imprison them. The funds of the National Land League will be poured out unstintedly for the support of all who may endure eviction in the course of the struggle. Our exiled brothers in America may be relied upon to contribute, if necessary, as many millions of money as they have contributed thousands to starve out landlordism and bring English tyranny to its knees. You have only to show that you are not unworthy of the boundless sacrifices in your cause. No power on earth except faint-heartedness on your own part can defeat you. Landlordism is already staggering under the blows which you have dealt it amid the applause of the world. One more crowning struggle for your land, your homes, your lives—a struggle in which you have all the memories of your race, all the hopes of your children, all the sacrifices of your imprisoned brothers, all your cravings for rent-enfranchised land, for happy homes, and national freedom to inspire you—one more heroic effort to destroy landlordism at the very source and fount of its existence, and the system which was and is the curse of your race and of your existence will have disappeared for ever. The world is watching to see whether all your splendid hopes and noble courage will crumble away at the first threat of a cowardly tyranny. You have to choose between throwing yourself upon the mercy of England and taking your stand by the organization which has once before proved too strong for English despotism. You have to choose between all-powerful unity and impotent disorganization—between the land for the landlords and the land

for the people. We cannot doubt your choice. Every tenant farmer in Ireland is to-day the standard-bearer of the flag unfurled at Irishtown, and can bear it to a glorious victory. Stand together in the face of the brutal and cowardly enemies of your race! Pay no rents under any pretext. Stand passively, firmly, fearlessly by while the armies of England may be engaged in their hopeless struggle against a spirit which their weapons cannot touch. Act for yourselves, if you are deprived of the counsels of those who have shown you how to act. No power of legalized violence can extort one penny from your persons against your will. If you are evicted you should not suffer. The landlord who evicts will be a ruined pauper, and the Government which supports him with its bayonets will learn in a single winter how powerless its armed force is against the will of a united, determined, and self-reliant nation."

My Lords, I do not stop to mention the circumstances under which that manifesto was got out from Kilmainham, or anything in connexion with it apart from the use I am now about to make of it. In several of the outrages to which I have referred it will be proved that the offence was that rent had been paid contrary to the No-Rent Manifesto. After this date it was made the text of Land League speakers, and particularly urged at meetings of the Ladies' Land League. Now, either Mr. Parnell and those who signed this knew the work which had been going on before, or they did not. I shall ask your Lordships to come to the conclusion that it is idle and ridiculous to suggest that Mr. Parnell, Mr. Dillon, Mr. Biggar, Mr. Sexton, Mr. Patrick Egan, Mr. Thomas Brennan, and Mr. Andrew Kettle, who had been, up to the time of their arrest, actively connected with the Land League, did not know what had been the effect of the Land League working. Your Lordships will have no doubt that reports were sent from the branches to the head office week by week and month by month. I shall, in a very few moments, demonstrate that to your Lordships. The head office was paying money for the work of the branches to be carried out. Mr. Patrick Egan and Mr. Biggar were treasurers, and Mr. Brennan was the secretary, and I shall ask your Lordships to come to the conclusion, after hearing the evidence on this part of the case, that many—nay, all—of those men did

know what had been the work of the League during the two previous years. If they did not, which it is almost impossible to conceive, then the manifesto was meaningless when it referred to the magnificent organization which during the last few years had brought landlordism to its knees. But I do most respectfully impress upon your Lordships, when you come to consider the history of this matter, that the Land League had, from 1879, and through the autumn of 1880 and 1881, been continuing the work it was constituted to perform—the work Mr. Parnell meant it should do. It is idle, after the speeches I have read, to suggest that these people did not know that this was the work which the Land League was doing. If it was doing other work and intended to do other work where was the evidence of it? Your Lordships will hear some very remarkable evidence with regard to the disappearance of Land League papers and books; but, dealing with what I have already brought before your Lordships' attention—the speeches made at these meetings and the outrages following—if there was any evidence at all of genuine Land League work I would put it before your Lordships, because I am here, whatever may be the opinion of my learned friends, for the purpose of giving your Lordships every opportunity of investigating the truth of those charges and allegations of *The Times*; and we repeat that the object, purview, and intention of this organization was to destroy the relation of landlord and tenant, through the tenants, to bring the landlords to their knees, and so to sweep away the English garrison of landlords to which I referred in so many of the speeches which I read yesterday. Now, my Lords, simultaneously with the No-Rent Manifesto was posted, apparently by the same people, at any rate side by side with it, and in no way repudiated by Mr. Biggar or Mr. Campbell, or any other acting officials of the Land League—Mr. Biggar being, of course, one of the most prominent—this manifesto, signed by Patrick Ford—posted throughout the length and breadth of Ireland:—

“No gent. Parnell, Davitt, Sexton, Brennan, Dillon, Kettle, Egan.”

These, your Lordships will notice, are the names of the persons who were signatories of the No-Rent Manifesto, supposed to come from Kilmainham.

“Fly the Land Court. It's a sham—a fraud. He who

acts the traitor in the hour of Ireland's trial shall pay the penalty of his villany. 'Tis a noble cause you are engaged in. 'Tis a holy cause against a hell-born class, who have plundered you for centuries. A class who have grown fat upon the blood of yourselves and your children. A class who, rioting in lust and covered with human gore, stalk through the land scattering sickness, sorrow, misery, affliction, hunger, want, and devastation in their loathsome path. 'Tis a war of right against might, of justice and liberty against tyranny and oppression, of charity, humanity, and Christianity against selfishness, brutality, and immorality. Stand firm and united, undeterred in your resolve not to leave the land that gave you birth, and, though 60,000 bayonets may bristle around you and buckshot rain upon you, God is with you, and you cannot be defeated. One more blow and victory is yours. Hold the rent, hold the harvest, hold the land, and the new year which is about to dawn upon us shall welcome a nation from bondage released."

"To the men of Ireland.—Office of the *Irish World*, New York.—Men of Ireland, the eyes of the world are upon you ; stand together ; be faithful to your imprisoned chief ; obey the manifesto—no rent ; prepare for sacrifices ; be brave, but prudent ; rely on America ; money and sympathy will flow over to you. We will succour the children of the evicted and honour moral heroes. Landlords must go. Be true to principle and redemption is assured. God Save Ireland.—PATRICK FORD."

Now, my Lords, I want to know is it going to be suggested that Patrick Ford and his organization and the hand that penned the No-Rent Manifesto were not working with the same object ? That has never been repudiated by Patrick Ford. There is not the slightest doubt that it was issued. Your Lordships will be satisfied that it was issued with the knowledge of Mr. Biggar and of the Irish Land League. I said that it was published contemporaneously with the publication of the No-Rent Manifesto ; that was in the month of October, 1881. My Lords, I have not quite finished with the county of Kerry ; but I have an incident in itself independent, and I would prefer to break off at the present time.

The Court then adjourned for luncheon,
On its re-assembling,

The ATTORNEY-GENERAL continued,—My Lords, just before I read the manifesto signed “Patrick Ford,” your Lordships may possibly have heard a comment as to who issued it. I am not going to deal with the No-Rent Manifesto, properly so-called, at the present moment—

The PRESIDENT.—The document purporting to have been issued from Kilmainham is what you call the Manifesto?

The ATTORNEY-GENERAL.—Yes, my Lord. I shall be able to prove two telegrams immediately preceding the issue of the No-Rent Manifesto from Kilmainham, one from Ford to Egan :—“Communicate with Parnell, if possible; consult with your colleagues; and then issue a manifesto—no rent.” The other was from Egan to Ford :—“Your suggestion is approved. Prompt measures are now in progress to secure a general strike against rent. The manifesto will be issued without delay. It is the only weapon now that remains in our hands.” The date of the telegram from Ford is the 17th of October; the reply I have not got the date of, but it is a reply to the former telegram. I have indicated to your Lordships this morning that I should give you some information as to the very large amount of money that has been received from America and other places by the Irish Land League, and the very small amount of it, comparatively, that has been accounted for. That is not the only matter in connexion with the Land League which will invite your Lordships’ anxious research and inquiry; but it is what has become of the Land League books and papers, by which I mean the Land League books and papers during the years 1880 and 1881, prior to later dates when some books were kept, as is stated, which perhaps did show some of the dealings of the National League. I propose to refer to this matter now before passing to another county, because it has a direct bearing on the counties with which I have been dealing this morning, both as regards speeches and as regards outrages. On page 85 of the printed proceedings you will find that I read in the course of the case of “O’Donnell v. Walter” a letter, which will be put in evidence again in this trial, from H. Campbell to Dr. Kenny. The date is the 18th of October, 1881. Both those persons are now members of Parliament. The letter is in these terms :—

" Oct. 18th 1881.

" M. J. Kenny, Esq, M.D., Dublin.

" Dear Sir,—Yours received. Mr. O'C— & Mr. Sheridan will proceed to London to-day. I will go by Liverpool and bring the books from there to Palace Chambers ; and I shall also instruct the men at Liverpool to return to Dublin as you request. Mr. O'Connor wishes you to send him a cheque for £30 on his Bankers Messrs. Ridgeway & Co., 2, Waterloo Place, London. This sum is to enable us to pay our way as we go on.

" Yours truly

" H. CAMPBELL."

Your Lordships will find that that document was received in due course at the Land League offices, was initialled and endorsed as being attended to by W. F. M.—I think the name is W. F. Maloney. At that time there was a fear in Ireland of a raid being made on the Land League offices, and of the documents being discovered. Now, assuming these books and documents to be innocent and to relate only to a constitutional agitation by a political organization, one does not know why they should have any fear of discovery. But what is much more important at the present time is, what has become of those documents? Where are they now? My Lords, the original of this letter was produced with other documents to the solicitor of *The Times* by a Land League clerk, who will be called before you, and who will give evidence with regard to that document and other documents. I merely refer to that letter at the present time for the purpose of fixing a date up to which the books were in Dublin—October 18, 1881. But, my Lords, they were not the only documents which, perhaps more by accident than by any other cause, happened to be in possession of the Land League clerk. There happened to be, and were found in his possession, and will be produced, and the handwriting upon them in many cases proved, two batches of documents relating to part of the work done by the Land League on two occasions shortly before they were removed to London. Those documents will be very material, not only from their contents, but for the purpose of showing the system which was being carried on, and for the purpose of showing what was the connexion between the branches of the National League and the

central office ; and I only trust that it may be possible to get at the corresponding documents for the earlier months if they have not been destroyed. Now, my Lords, although many of the documents are in themselves not material, they are all of some importance as showing what was going on, and they prove, undoubtedly, that the National Land League, by which I mean the central office, was paying for the work that was being done by the branches, paying for persons who were refusing to work for boycotted people, paying for persons who were carrying out the decrees of the Land League, and thereby losing their employment, but, what is more important, was paying for outrages ; yes, paying for outrages ! My Lords, there can be no doubt whatever about the proof of these documents. One man closely connected with the Land League chiefs, as those who instruct my learned friends know, is John Fergusson, of Glasgow. Yes, John Fergusson, of Glasgow. My learned friends' clients will be able to give information of John Fergusson, of Glasgow. He will be proved, nay, in the course of this afternoon I hope I shall be able to prove that he was a high official in the Land League. I will read to your Lordships a letter in which I shall be able to prove that on the 20th of September, 1881—that is just, roughly, a month before the documents were removed—Timothy Horan, from the Irish National Land League, Castleisland, wrote to J. P. Quinn, at the Land League office. J. P. Quinn was also an official in the Irish Land League at this time, and Timothy Horan was the local secretary of the Castleisland branch. Timothy Horan is dead, but his handwriting will be proved. The letter is as follows :—

“ I beg to direct your attention to a matter of a private character which I attempted to explain to you when I was in Dublin at the Convention. The fact is, one of the men who was shot has lost the use of his eye. It will cost him £4 to go to Cork for medical attendance. Another man received a wound in the thigh, and was laid up nearly a month. No one knew the patients but the doctor, myself, and members of the society. I may inform you that the said parties cannot afford to suffer. If it were a public affair a subscription list would be opened at once for them as they proved to be heroes. One man escaped the shot, but

got his jaw grazed. Hoping you will in your discretion see your way to make a grant, which you can send through me or the Rev. John Callaghan, Catholic curate, I remain, yours truly, "TIMOTHY HORAN." And that letter, my Lords, was endorsed with a grant; the exact amount, I think, was £6, and that allowance was initialled by John Fergusson "J. F." I am perfectly aware the grant is small. I am perfectly aware it happens that in that particular batch of documents there is only one which we are able to trace directly as being connected with outrage. I am not at all sure that I shall not be able to connect with this particular letter the outrage with which this occurred. The men have gone out on some moonlighting or outraging expedition. Mr. Biggar says one of the objections to outrage is that you may shoot the wrong man. It is in all probability a case in which the persons were fired at by the police, because, as you will observe, one of the men from a shot lost the use of his eye, another man had received a wound in the thigh and had been laid up for a month, and one who had escaped a shot got his jaw grazed. It was in all probability a case in which some firing back took place and the wounds were inflicted. In that way I think it may be possible to trace the outrage. Well, my Lords, if it be suggested that there was no connexion between the Land League, between the Dublin centres of the Land League, and the outrage, what is the meaning of stating, "I may inform you that the parties cannot afford to suffer. If it were a public affair a subscription list would be opened at once for them as they have proved heroes," &c. In the same page of the papers—I do not stop to read them now, they will be put in evidence before your Lordships—there is a very considerable number of cases of payment to persons who were carrying out the behests of the League, and of requests, among others, of persons to be paid because they have obeyed the orders of the League. And in all these instances a money grant was made—sometimes the amount asked for, sometimes not so much, and all initialled by John Fergusson, who was at that time having to do with the treasury department of the Land League. I will not deal at the present time with that part of the case, which I shall take separately, to show intimate connexion with the people whose names I

have referred to and whose speeches I have been reading. I believe your Lordships will understand now why I said that if these documents could be produced, and in the state in which they originally were, they might give a very large amount of information as to what was being done. It was a purely accidental circumstance that these documents were found and happened to have been left in the possession of the Land League official. The facts will be proved beyond all question, and as it may be yet taken in connexion with the speeches, and as I have already stated to your Lordships, I venture to think it will enable you to draw a very strong inference indeed as to what were the relations between the Land League and the branches under whose subordinate commands the outrages were being carried out. I ought also to mention to your Lordships that the letters to which I have referred do not by any means come from the same place. Some come from Kerry, some from other places. They are signed by different persons, and therefore they show a system. They do not show one particular instance of Timothy Horan or any other man who happened to write on some particular occasion for the purpose of having some particular grant made. I must now call your attention to the speeches delivered in the county of Cork, which require in some respects special notice because there were people in Cork who fought the Land League. There are people in that county who have courageously fought the Land League all along the line, and it will not be unimportant to notice the way in which those persons who were bold enough to fight the battle of independence and of law and order against the Land League were treated. There is a man named Heggarty who throughout has shown most courageous defiance of the League. He has been shot at more than once, and he has been the object of the most pointed denunciation by some of the leading members of the Land League. There are others—some women among them—who have also fought to maintain their independence and who have refused to submit to the tyranny of the League. I refer to those persons because it is probable that for one person found bold enough to run the risk of beggary, maiming, or death, 99 will give in. These so-called constitutional leaders were perfectly well informed; they knew perfectly well that the county was being

organized and that, practically speaking, they could subdue the great majority of the population to their will. The Cork speeches run over a very much longer period, but I will keep the earlier speeches separate from the later in the same way that I have done with regard to the other counties. Your Lordships will find that they commence about the same date as they commence in the other counties, and that they have the same objects in view. I will first call your Lordships' attention to a speech delivered by M. P. Boyton at Dumanway on the 30th of April, 1880. Boyton said he was there that day to represent the president of the Irish National Land League (that is, Mr. Parnell), in response to an invitation sent to the Dublin Executive. He went on to say that:—

"There was a little story told by Mr. Parnell at a meeting in the Rotundo to the effect that a certain American gentleman had said, 'Parnell, there is 25 dollars, five for bread and 20 for lead.' I am not authorized by the president of the Irish National Land League to tell you that that was a *bond fide* transaction, that the man gave him 25 dollars. I am authorized to tell you that those 20 dollars are perfectly safe. We are not going to tell Mr. Forster what we are going to do with the 20 dollars that have since swollen to 20,000. The money gives 4 or 5 per cent. interest on it, and we are turning it into good sound sovereigns. Therefore I ask you in the name of God to stick together. If you show us evidence that you are in earnest to help us and take a share in this 20 dollars by showing us that you will stand together, we have moral force and we are going to use it; and perhaps we have something in the shape of physical force, but we don't want to use it. We may some day come down and see you and talk about something else. (Cheers.)"

There was also a meeting at Castlelyons, county Cork, on the 5th of September, 1880, at which the speakers were James Maye, Edward Kent, a member of the Cork Land League, and E. Farrell, and at which there were present the Rev. T. Farris, P.P., J. R. Heffernan, and J. O'Brien. James Maye proposed a resolution declaring a branch of the League formed for the parish of Castlelyons, to be called the Fermoy branch. He said a branch of the League was very much needed when there was such a man as one Hayes in the district proposing for his farm. (Hisses.) Hayes had offered more

rent for his farm than he himself was paying after the landlord had offered him a reduction—a reduction which was afterwards withdrawn owing to Hayes's offer. (Hisses.) He swore that he would have it yet, and declared he would wait 20 years for it. (Groans, and a voice, "He won't live half that time.") They should all join the Land League and then there would be no such men as Hayes. (Cheers and groans.) Edward Kent proposed a resolution pledging the people not to take a farm from which a tenant had been unjustly evicted. The speaker added, "By Heavens, if they do they will pay for it." (Loud cheers.) E. Farrell said, "If any one be found bad enough to take a farm from which another has been evicted let no one speak to him, let no one buy or sell to him, let no one have any dealings with him in any shape or form. And I promise you that if you single him out in that way he will soon rather be rid of the land than have it." (Cheers.) At a meeting at Castletown, Berehaven, on the 24th of October, 1880, at which J. W. Walsh was present, Mr. T. M. Healy, M.P., advocated the non-payment of rent. Speaking on the subject of hay burning and mutilation of cattle, he said :—

"It may not be the place of a speaker at a popular meeting, or the editor of a popular newspaper, to condemn these outrages. In my opinion, popular meetings and popular newspapers should be conducted on strictly party lines. We have no chance of sympathy from the landlords ; let the condemnation of these things proceed from the people mostly interested. I regret these outrages personally, because the charge comes out of your pockets."

Referring to the case of firing at the person of Mr. Hutchins, he said that a man so kind and fatherly should not have been fired at.

"Only four landlords had been murdered, whereas 2,470 evictions—sentences of death—had been carried out by them. When the latter had been condemned he would condemn the murders of the four landlords. They were all very sorry that Mr. Hutchins had been fired at, but he did not wonder at it. They should enrol themselves in the Land League, the principles of which would be explained to them by Mr. Walsh. Be determined and say to the landlord, 'Thus far shalt thou come and no farther.'"

J. W. Walsh, whom I have already referred to as an organizer of the Land League, regretted he had not had an opportunity of visiting this locality before, because he believed there was not a spot on God's earth where a Christian people were so badly treated. They should throw off this cloak of slavery and maintain their rights. He called upon the people not to take evicted farms or to buy from the shopkeeper who sold goods to the landgrabber. At Enniskeanes, county Cork, on the 3d of July, 1881, C. Crowley, of Bandon, in the course of a speech said :—

"We were a long time begging and looking for charity, now you have got a chance. So far as you can see around you, you have crops and roots enough to support you for the next two years, and if you don't hold them you don't deserve the chance again. It is your part to hold them and to try and work further ahead. Evicted farms should not be taken, nor should they assist in the cultivation of such farms. If any ruffianly, damnable creature be found in their ranks, he must be looked upon as a black sheep. We must not sit beside him in church, we must pass him by like a mad dog. I would ask every man who has not yet joined the Land League to do so as quickly as possible ; the day is perhaps not far distant when he must wear it ; if not he will be looked upon as an individual belonging to the other side. (Cheers.) I believe there are a few emergency men in Clonakilty ; they will have to get a police barrack on every farm."

On the 7th of August, 1881, at a meeting at Dunmanway, county Cork, the speakers were Thomas Fuller, R. P. O'Neill, of the Cork Land League, P. O'Hea, and Miss Parnell. Thomas Fuller compared landlords with wolves, for whose heads rewards were given. R. P. O'Neill said, "The time has now come when we must meet them at the sword's point, and then, I say, we will see whether the British soldier or the Irish peeler will be content to throw down the rifle and take up the pickaxe. (Cheers.) We have come to the point now ; it is a question of Land Leaguism *versus* landlordism." Mr. P. O'Hea, of Skibbereen, who I am sorry to say is a solicitor, said that the object of the Land League was resistance to the law—passive resistance. I am not aware that that is the doctrine solicitors are supposed to represent. The speaker continued, "In Limerick when

the walls were battered and broken down by the cannons of the invader the womanhood of Limerick asserted its right. I am sorry to have to say it, if the men acted better soldiers we would not be under the damnable sway of England to-day. (Cheers.)" Miss Parnell said that in the event of the suppression of the Land League the farmers should keep all their money; there would be none to spare for rents. Out of the proceeds of next harvest they would have to keep the means to fight the landlords and the Government, no matter what steps they took. The people must be prepared for much more strenuous efforts to crush them than they had yet experienced. They must be able to put their hands in their pockets and say, "We have enough money to fight them whatever they do, and if they put us to too much costs then it will be the worse for themselves, for it will have to come out of what would otherwise have gone towards paying a fair rent." Now I have to call your Lordships' attention to a meeting held at Cork on the 2d of October, 1881, at which were present Mr. Parnell, Mr. T. P. O'Connor, Mr. Redpath—the person whose name I have already mentioned to your Lordships in connexion with violent speeches—Mr. T. M. Healy, J. R. Heffernan, and the Rev. Eugene Sheehy. At that meeting Mr. Parnell said that the enthusiasm of the people, the spontaneous character of the reception, and the extent of their numbers all combined to mark this demonstration as one of the greatest and one of the mightiest that had ever shown the invincible determination of the Irish people to rule themselves. (Cheers.) If as a result of the Land Act a class of tenant farmers received any benefit they must recollect that it was their duty to refuse that benefit, unless it could be shared by all classes in the country. If any tenant farmer should be tempted to make his own bargain behind the backs of his neighbours, and to regard his own selfish interest only, let him recollect that the Irish people behind him would see that he did full justice to those who were placed under him. The speaker went on to say:—

"Although we cannot yet have our own Parliament to protect Irish manufactures, yet we shall be able by the strong force of our public opinion to give a preference to things that are made in Ireland by Irishmen. A happy future then is before us if you stand together

like men ; if you refuse to allow the lines of our organization to be broken, depend upon it nothing can resist your power, and that by the spirit of order and by the habits of organization and of association together, which you are obtaining from day to day, you will convince our rulers that it is an absolute necessity for them, if they wish to retain the link of the Crown, that that link shall be the only link between the two countries. (Cheers.)"

Mr. Redpath said he knew the Irish in America, and knew them well, and told them they would sustain the people of Ireland if they were true to themselves, not only with sympathy but with money, until in all Ireland there was not a tenant who was not his own landlord, and not a landlord who was not his own tenant. Mr. T. M. Healy said he had seen that day a banner with the inscription on it, "Pay no rents but Griffith's valuation." A friend remarked to him that that was a very old banner, and he thought so too ; that it was getting out of date, because they remembered how, when the farmers tendered Griffith's valuation to the landlords last year, their offer was rejected with scorn. The motto which he would now suggest to (cries of "Pay no rent at all") those who desired to bring this inscription to a meeting, they should split the motto in two and say, "Pay no rents but and we will see by-and-by what rent is going to be." (Cheers.) The Rev. Eugene Sheehy, a Catholic curate, who has been in America, characterized the meeting as the most remarkable national demonstration that had yet appeared in the country—

"To chronicle the ancient resolve of Ireland that this country must be ours (cheers)—that has been the tradition and the sworn vow of ages of bravest sacrifices, and they stand there that day in their many thousands to repeat once more and to register solemnly the vow transmitted to them ; that stay their steps they will not until they have planted those glorious banners of Ireland (cheers), not only on the ruins of landlordism, but on the ruins of that Government and that alien race which it represents. (Cheers.) The national idea is becoming a prominent one ; it is no longer so much 'Down with landlordism' as 'Down with English rule in Ireland.' (Loud cheers.) Fellow countrymen. I do not speak to—

day a new idea, I do not speak because that my mind and heart happened to be stirred by the splendid declaration of your power that I witnessed, because I witnessed numbers, at least as many as 100,000 fighting men (Voice—' And ready at a moment's notice ')—not because of a new spirit begotten within me by the presence of that great power, but more than that, because that I see behind you numbers in every eye, I see the soul of a new spirit, that not mere Land Leaguism, not merely selfish interests, but the grand ideal possesses your souls, and that you will not be content as slaves redeemed from a cruel class until the other idea be realized—that of making your country a nation among the nations of the earth. (Cheers.) I tell this English enemy and the American friend that we are no more or less than Paddies evermore. We will not compromise with landlordism, so I speak at least for myself ; we will not compromise with the English people. (' Never. ') I care not who does that which would induce you to the idea of measuring you with the democracy of England. I say, no. (Voices.—' No. ') There is no place else in Ireland one is so anxious in planting that ancient flag-staff as here in rebel Cork, whose heart never beat high, nor fast, nor natural, except when it beat in harmony with national ideas. Yes, then, fellow countrymen, Ireland for the Irish, whether it be separation altogether (cries of ' Separation '), or whether it be a Parliament, as they say, in College-green. I shall not quarrel so long as the national standard is afloat ; let it be national anyhow, let the doctrine be preached, let the vows be registered, and we can unite on a platform that declares for College-green. (Cheers.)" In the county of Cork there is a long series of speeches in the year 1885, and they are, of course, open to the same observation your Lordship was good enough to make to me to-day—that there is a considerable break. I do not desire to deal with them now ; but I wish to say that I shall at a later period point out that in the years 1885 and 1886—that is, right down to the publication of these articles—speeches were being made under the auspices of the National League, which was the direct successor to the Land League, with the same result in violence—that under the same auspices, with the same money, and by means of the same mode of carrying on business, speeches were made promoting

the same outrages. I will repeat here what I said in opening the case of "O'Donnell v. Walter," that, so far as I know, no leading member of the Parnellite party has ever suggested that there was any difference whatever between the Land League and the National League. Indeed, they have openly admitted that the two associations were the same, controlled by the same officers, and acting entirely on the same lines. I would ask your Lordships to allow me to call attention to the Cork outrages. Your Lordships will find that there were a great many Land League meetings at which resolutions were passed and speeches were made of which at present I have not got reports; but witnesses will be called who will in some instances be able to supplement what I have already read. On July 16, 1880, Mr. Samuel Hutchins was returning home at a quarter to 5 o'clock. He was travelling in a dog-cart, driven by a man named Downey. Mr. Hutchins was shot at and Downey was mortally wounded. There is no doubt, I think, that in that case it was intended to shoot Mr. Hutchins and not Downey, and this must be one of the cases which were subsequently referred to by Mr. Biggar as including the wrong man. There was, at any rate, nothing at all known against Downey; but there was some sort of a suggestion that Hutchins had made himself obnoxious to the Land League. I must call attention, also, to the outrage on Jeremiah Buckley on June 22, 1881. At a meeting held on October 17, 1880, at Bantry, a very violent speech was made by J. W. Walsh, and there had also been a previous meeting at which violent speeches were made. On January 2, 1881, a public meeting in support of the Land League was held at Ballyvourney; and as far as I can state from the report of these meetings, they were held to denounce persons who paid rent or had given information of any kind to the police. Jeremiah Buckley had paid his rent. It was the next payment after that meeting. On June 22, 1881, six men, armed and disguised, broke into his house, pulled him out of bed, beat him with furze bushes, and asked him whether he had paid his rent. On his saying he had, one of them took out a pair of scissors from his pocket and cut off a part of his right ear and took it away with him. On October 3, 1881, Patrick Leary, the son of a farmer residing at Doonasleen, Kanturk district, was fired at and so severely wounded that he died. His father's house

had been visited, and he was asked whether they had paid their rent. The only reason that can be assigned for shooting this young man was merely that he was thought to have been watching to see who it was that was coming to ask these questions, for the purpose of subsequently identifying them. When for so small an act against the rules of the Land League a man is to lose his life, tyranny has surely reached a point which could not be surpassed. In addition to the speeches referred to at Bantry, a public meeting was held on January 2, 1881, at Ballyvourney to further the objects of the Land League. At this meeting references were made to land-grabbers and persons who had taken grazing, and it was stated that Peter Kelleher was either a land-grabber or was about to become one. He did take some land, and on October 31, 1881, 10 or 12 men came to his house about midnight. They made him get up and produce his gun, which they took. They asked him if he was a leaguer, and to produce his card of the League. They further asked him whether he was not going to take this other farm. A shot was then fired at him, the bullet passing through his right thigh. On December 1, 1881—there having been, as your Lordships may remember, a meeting held at which Mr. Parnell, Mr. O'Connor, and others spoke in the month of October, 1881—a party of men went to the house of one Michael Fenton, of Gurtnasna, and fired at him with a revolver. I think they fired several shots through the window, but did not wound him. He had paid his rent a short time previously, and that was, according to my information, the sole motive for the outrage. In connexion with the county of Cork I shall have, I am sorry to say, a good deal more to lay before your Lordships with reference to speeches after this date, and also with reference to outrages which took place after the speeches were made. Dealing only with this period, I think I can now take the last of the counties to which I have to refer in detail, prior to the year 1882, and that is the county of Clare. With regard to Clare I am not at present able to read as many speeches as in the other cases, but there will be evidence put before you, Lordships as to the way in which the League was worked in county Clare. The principal object I have in reading some of the speeches made in county Clare is that you will find in one of the principal

speeches of Mr. Parnell the text to which I have so often referred, as to how to deal with land-grabbers. On September 19, 1880, there was a meeting at Ennis, at which were present Mr. Parnell, Mr. Finigan, and Mr. Sullivan, all members of Parliament. Mr. Parnell, referring to the question whether the farmers should give evidence before the Land Commission, said that his opinion "decidedly was that whatever harm they may do to the cause by going before the Commission, they will certainly be able to do it no good." Speaking on the subject of land-grabbing, he used the following words :—

"What are you to do to a tenant who bids for a farm from which his neighbour was evicted? (Shouts and cries of 'Kill him,' 'Shoot him,') Now, I think I heard somebody say 'shoot him,' but I wish to point out to you a very much better way, a more Christian and a more charitable way, which will give the lost sinner an opportunity of repenting. You must show him when you meet him, in the streets of the town, at the shop counter, in the fair or market place, and even in the house of worship, by leaving him severely alone, by putting him into a moral Coventry, by isolating him as if he was a leper of old ; and you may depend upon it that if the population of a county in Ireland carry out this doctrine, there will be no man as to dare public opinion and transgress your unwritten code of laws. (Cheers.) How would the English Government like it if some day we told the people not to pay any rent until this land question was settled? We have not told them that yet. If it should not be settled, it will be for wiser heads than mine whether we shall not be obliged to tell the people of Ireland to strike against all rent until the question has been settled. And if the 500,000 tenant farmers struck against the 10,000 landlords, I should like to see where they would get police and soldiers enough to preserve the peace. (Cheers.)"

I want to say a word or two about this speech, because I do not understand that Mr. Parnell has denied it. I have pointed out many times, as it was pointed out by far greater men than myself in 1881, 1882, and 1883, that the leaving the people severely alone would not be sufficient to enforce the decrees of the powers that be, unless it is understood that the ultimate step of removing obnoxious persons is to be taken if necessary.

Your Lordships will not have forgotten the way in which this speech was used afterwards, and its principles enlarged upon. Over and over again, in the speeches I have read to you, the land-grabber has been spoken of as a leper and one to be treated as a dog or vermin. What does it mean? It means, I submit, that any steps are to be taken which are necessary for the purpose of compelling a man to abandon that course of conduct to which the majority of the people object. Mr. Finigan, speaking at the same meeting, said they had shown their earnestness over the "great land question of self-government" by their enthusiasm and numbers, but if they wished to carry out their resolves, they must do something more than cheer, they must do something more than unfold the Stars and Stripes. No tenant should bid for another's land. And Mr. T. D. Sullivan denounced land-grabbing, and said that "if anyone should be so base as to take an evicted farm, he should be shunned. (A voice.—'Shoot him.') Let him be an outcast among them, and his life will be a life of shame and of misery; and the shame will not alone attach to him, but to his children, and his children's children." Then, my Lords, at a meeting held at Ennis on November 12, 1882, Mr. Redmond and Mr. M. J. Kenny made speeches. Mr. Redmond said:—

"The duty of the tenants on every estate in the county Clare is this:—In the first place, to join the National Land League, they must travel on the same lines that they followed when the Land League existed. The tenants must band together and not go into the Land Court until we obtain the amendment. They must go to the landlord and say to him that the rent is excessive, that they will only pay to him what they believe to be a fair rent. Tell him, one and all, until his demands come down to what is just and fair, they will pay him no rent at all. If there is to be found any man, or any men so base as to go behind the back of their fellow-tenants and play the part of traitors, I do not tell you to boycott them—I do not believe in using those fancy terms—but I tell you to make him feel the full weight of your indignation. I am not telling you to pay no rent. The principles of no rent was never the policy of the Land League. The No-Rent Manifesto was issued as a weapon against coercion—it drove out of office the worst Minister that ever stood on Irish soil."

Mr. Kenny spoke of the Prevention of Crime Act, 1882, as "more damnable than was ever passed by Castlereagh or Cromwell. The Government put it into the power of one Judge to try men without juries, and you, people of Clare, you know well how these juries were packed in Dublin, how honest Irish Nationalists have been executed proclaiming their innocence. Landlordism must be rooted out root and branch, and until that is done there will be no peace or contentment. The English Government are telling us they will give us a system of self-government. But we are determined to accept no system but that which will leave the people of Ireland their own masters. We have been the servants of England too long. Agitation is necessary to shake to the foundation the rule of England; we are determined to agitate until that system is crushed and rotten for ever." Now, I will give your Lordships particulars of some of the Clare outrages. Before September, 1880, when the speeches which I have read were delivered, Clare was in quite a normal condition, if not quite free from agrarian crime. But very shortly afterwards the ordinary number of police had to be doubled, being increased from 327 to 600. Between January, 1881, and February, 1882, there were six murders and 12 attempts at assassination. Between February, 1882, and November, 1883, there were six attempted murders. Fortunately, during part of that period, the Crimes Act was in operation. On April 27, 1881, the house of a caretaker named John Sheehan was fired into because he had taken possession of some land with a view to take care of it while it remained vacant. On May 6 in the same year several houses were fired into because it was supposed that the occupants had paid their rents. On July 17, 1881, a Land League meeting was held within sight of the house of a Mr. Studdert, who was denounced by several of the local leaders. On August 10 a man in Mr. Studdert's employment, who was driving a donkey home from Ballyear, was stopped by two men, armed and disguised, who shot the donkey dead. On the 14th another Land League meeting was held, at which Mr. Studdert was again denounced. He was referred to by Father Ryan, who was present, as an unclean beast, and a landlord who evicted a tenant was called a murderer. The effect of the meeting was that any one who had anything to do with Mr. Studdert was boy-

cotted. A butcher named O'Halloran supplied him with meat, whereupon the local branch of the Land League threatened every one who should deal with him. Mr. Robert Spaight, J.P., Major Maunsell, J.P., and Lady Loftus were among those threatened. On October 7 Mr. Spaight's house was fired into, and he narrowly escaped with his life. The only known offence that he had committed was that he had continued to deal with O'Halloran, refusing to be intimidated. On July 29, 1881, the house of Patrick Halloran, at Ballyhee, was forcibly entered. In the early part of the year he had been working for Mr. Enright, who in May had a dispute with one of his tenants. Patrick Halloran took up the herding from which this tenant was dismissed. Three men entered his house and endeavoured to make him swear that he would leave Mr. Enright's employment. He did not leave, however. Some other men also continued to work for Mr. Enright—namely, Michael Hurley, James Reddan, and Michael O'Dea. On August 29 Hurley was dragged out of bed and kicked, and some shots were fired over his head. On November 18 Patrick Halloran was shot, and he died from his wounds on December 7, 1881. On November 28 five shots from a revolver were fired into the house of James Reddan. He was not killed; but he lost his reason from the shock and has been ever since an inmate of a lunatic asylum. Mr. Enright was boycotted during the whole of this time, and these three poor unfortunate men, who had been guilty of nothing except trying to earn a living by hard work as labourers, were, one of them murdered, one of them injured, and one of them driven out of his mind. We have here a good illustration of the truth of the strong judicial denunciation of these dreadful deeds by Lord Fitzgerald, who pointed out that these outrages do not injure the landlords one-tenth part as much as they injure poor men who have done nothing of which complaint can properly be made. On October 8, 1881, an attempt was made to blow up the house of a man named Littleton, who had taken a surrendered farm. It was not even an evicted farm. They attempted to blow up his house with gunpowder simply because he had occupied land which it was intended no one should occupy. On the 23d of the same month Michael Maroney was shot dead before his wife and children because he had paid rent. His brother was also

shot at, but he was providentially missed. On the 24th the house of a person named Bentley was fired into and the windows were broken. On the 25th a man named M'Mahon was shot dead in an out-house because he was suspected of having disclosed the secrets of either the moonlighters or the Land Leaguers. In the same month a fresh attempt was made to injure Bentley by firing at him when he and his wife were on the public road. There are other cases of shooting at the end of 1881, but they do not present such characteristic features as to render it necessary to mention them. I now wish to mention the case of a man named Perry, which extends over the years 1881 and 1882, and is connected also with the murder of a man named Michael Morony on February 25, 1882. Mr. Perry was a landlord who had previously been on perfectly good terms with his people. In the early part of 1881 he could not get any rent and, accordingly, acting partly for himself and partly for other persons, he took steps to issue process for the recovery of rent. On March 27 his house was fired into. On April 10 a Land League meeting was held at Feakle, near which place Mr. Browne, for whom Perry was agent, had some property. At that meeting land grabbers were denounced. On January 1, 1882, these notices were circulated with reference to Mr. Perry :—"Boycott Perry. Have nothing to do with him, or by the Immaculate Jesus, I'll cripple his worthless existence. Beware of Moonlight, or by Christ of Heaven his body will burst by Captain Starlight and Tom Brown also." "Boycott Perry. Pay no rent. Any person having anything whatsoever to do with the infernal sceptical ruffian Charlie Perry will get the contents of the Captain's brains-breaker. Look out.—CAPTAIN MOONLIGHT." "Take notice.—Any person working, buying, or selling for the Perries, the infernal bastards of Tom Browne, I pledge myself before Christ that I will let his blood flow at no distant date.—CAPTAIN MOONLIGHT." Then, on February 19, this notice was posted :—

"Any person coming to pay rent to that son of a boor Perry or coming to settle with him in any way, I am still thirsty for their blood. So by the God of Heaven don't be the cause of my coming from Templamore or if you do I will pay the rent for you to the last farthing. And ye land-jobbers that are in the habit of buying the grass in the lands of Newgrove, clear out on the

1st day of March instant or by the Immaculate Jesus I will clear you out. Clear out.—CAPTAIN MOONLIGHT.” At this time one of the Ladies’ Land League organizers, Miss M’Cormick, was travelling through the district and advising the tenants not to pay rent. In the early part of the same year Michael Morony had paid his rent, and on February 25, 1882, he was fired at and wounded, and died within seven or eight days. Another man in the same neighbourhood was stabbed in the leg because he would not answer the question whether or not he had paid his rent, and five or six other men were all threatened at the same time with violence because they had either paid their rent or were suspected of having paid it. One wonders how it could ever be made to appear that the Land League representatives in these districts were persons who had a *bond fide* constitutional work to perform, and who were doing a work which was not connected in any way with the deplorable acts that were committed. With reference to Clare, there are one or two other cases which I will summarize. On January 25, 1882, John Lemaire was shot dead. He was caretaker for Mr. Maroney, who was being rigidly boycotted. Mr. Lloyd, the resident magistrate, was fired at on February 12 in the same year, the only offence being that he did his duty as a resident magistrate. There were two or three other instances in the beginning of 1882 also, of outrages by firing into persons’ houses. One was very remarkable, because there can be no doubt of the person who had committed the outrage, and his defence was undertaken by the Land League; the promise given by Mr. Biggar with reference to the defence of prisoners was performed. That was the case of a man who was an army pensioner, but I am unable at present to give his name. I propose now for the short period of time at my disposal this afternoon to go back to the story, so far as I have laid it before your Lordships, after the autumn of 1881. In the first place, though I have not been able to confine myself absolutely to the years 1881 and 1882, I have shown your Lordships what was the character of the work done under the Land League and the character of the speeches delivered at Land League meetings down to October, 1881, and during the time Mr. Parnell was confined in Kilmainham. Later on, as I have already told your Lordships, I shall have to refer to the speeches delivered in 1885

and 1886 and the outrages which followed those speeches and show your Lordships that what was stated in "Parnellism and Crime" was true—that the same sort of work was being carried on under the name of the National League. From the month of October, 1881, down to May, 1882, Mr. Parnell was in Kilmainham. Your Lordships must not suppose that there was no communication with Mr. Parnell during that time. In connexion with a document, to which I should like to refer in the course of a very few minutes, it has been suggested that there was a difficulty in documents being got out of Kilmainham. I think it will appear there was not the slightest difficulty in documents being got out of Kilmainham. In the first place, the "No-rent manifesto," signed by Mr. Parnell, was got out of Kilmainham, as appears from the statements of Mr. Parnell himself, by the action of Dr. Kenny, to whom a testimonial was given for the part he had played in getting that manifesto out of Kilmainham. In the course of the trial of "O'Donnell v. Walter," I may remind your Lordships, a letter was produced from Mr. Parnell to Mr. O'Donnell which came out of Kilmainham, and which the governors, the officers, and the warders had never seen, and, if it be the subject of dispute, we shall bring evidence to show that documents were freely passed from those inside to those outside; nay, more, appeared in the public Press, for during the time Mr. Parnell and his associates were in Kilmainham *United Ireland* was published in Paris. Egan and Campbell were in Paris, and matter went over to Paris, possibly written by Wm. O'Brien, but at any rate approved by him, which subsequently appeared in *United Ireland*. I mention that because it is said that one of the reasons why certainly one of the documents was a forgery is that it was impossible for such a letter to have got out, as the governor must have seen it, and that therefore it was impossible for such a letter to have been written. Before I come to that letter I have to describe as well as I can what was passing in reference to the Land League and its operations in 1881 and the early part of 1882. I have already told your Lordships that the Ladies' Land League took the place, so far as the organization is concerned, of the Land League. It has had the control of the money and to a certain extent the records of the Land League. There was also

started an English branch of the Land League, of which Frank Byrne was secretary. He has not been in England—in the United Kingdom—since February or March, 1883. Egan, who was treasurer of the Land League, also has not been in the United Kingdom since that date. Both those gentlemen have been in America, and in close association with them there are several other names to which I shall have to call attention when I deal with the American part of the case. What was Egan doing? I think you will have no doubt that Egan in Paris was arranging for the carrying on of the work of the Land League and providing the funds for that purpose. He was still the treasurer of the Land League. It will probably be proved that a very considerable sum of money had been transferred to Paris; but, be that as it may, Egan, one of the persons against whom most serious accusations are made, was carrying on the work of the League in Paris in the same way as from the time that he left Ireland. Egan went to Paris in the early part of 1881, shortly after the time or about the time that Sheridan had been arrested. I shall put in evidence some documents passing from Egan, and I shall ask your Lordships to draw your own conclusion as to what those documents mean. Egan left for Paris in 1881, and left Paris for America in 1883. He was back in England at some time between the two dates. Statements were made in 1883 by the informers with regard to the Phoenix Park murders which caused more than one person to leave England or the place where he was and go to America, and Egan was one of those. On October 25, 1881, Egan wrote from Paris this letter to James Carey:—

“ 25th Octr. 1881.

“ Dear Sir,—I have by this post sent M. two hundred Pounds; he will give you what you want. When will you undertake to get to work and give us value for our money?

“ I am, dear Sir, Faithfully yrs

“ PATK. EGAN.

“ Jas. Carey Esq.”

I do not know whether that will be said to be a forgery. If so, it is another instance of somebody's handwriting being most successfully forged. But if it

be genuine what does it mean? "M" refers to Mullett who was involved in the Phoenix Park murders. "When will you undertake to get to work and give us value for our money?" Whom is that letter written to? To James Carey. It seems to me impossible to reconcile the contents of that letter with any innocent and honest purpose which could have been expressed in plain language indicating for what object the money was intended. But, be that as it may, when we come to consider what was the position of Egan and for what purpose that £200 was sent, I shall be able to criticize any suggestion that may be made. He undoubtedly was clearly personally connected with Carey, and I shall lay before your Lordships, as having a very direct bearing upon the question of handwriting, other letters which passed at the same time between Egan and Carey. They are dated November 9 and 27, and December 20, 1881. There is one important fact in connexion with these letters which I shall mention now in the course of my opening. I stated in opening the case of "O'Donnell v. Walter" with regard to those three letters which were found in the house of James Carey that in the case of one the body of the letter was in the handwriting of Campbell. I had no instructions then as to whether Campbell was in Paris at the time that that letter was written. It will turn out in the evidence I shall be able to put before you that Campbell was in Paris at the time that that letter was written, and that he appears to have acted in that particular case, as in other cases, as secretary for persons with whom he was connected. I only refer to the matter for the purpose of at once stating before your Lordships the extent to which we have been able to identify and prove handwriting, having got genuine specimens of Mr. Campbell's handwriting and the undoubted letter he wrote to Quinn respecting the Land League books in 1881, and having been able to compare that with the specimen of handwriting which, without any previous knowledge, those who were advising *The Times* in the matter of handwriting detected as the handwriting of Mr. Campbell. Of course, it is perfectly possible for Egan to have been acquainted with Carey and yet not have known what Carey's antecedents were or what he was mixed up with. Your Lordships will have to consider that care-

fully when you have heard the whole of the evidence in this case. I am passing, in order to keep it absolutely distinct, everything which was occurring between the American and the English branches at this time. I merely mention that there are some important matters that occurred on the other side of the Atlantic with which some prominent members of the Land League in Ireland were undoubtedly connected. I pass at once to the next document which we will put in evidence. It is one which has given rise to the suggestion by my learned friend that it is a forgery :—

"9, 1, 82

"Dear E,—What are these fellows waiting for? This inaction is inexcusable. Our best men are in prison and nothing is being done. Let there be an end of this hesitancy. Prompt action is called for. You undertook to make it hot for old Forster and Co. Let us have some evidence of your power to do so. My health is good—thanks. Yours very truly

"CHAS. S. PARNELL"

At present I am not able to state before your Lordships in whose handwriting the body of that letter is. In all probability, before the end of this case, your Lordships will have an opportunity of forming a judgment as to whose handwriting the body of the letter is in. To the particular expressions in it I do not attach any great importance. It does not seem to me that it would be fair or right to assume that the expression "make it hot for old Forster and Company" necessarily meant any outrage on Mr. Forster himself, because it is an expression which had undoubtedly been used by Mr. Parnell in connexion with other matters previously, and may well have referred to what I may call general outrage—outrages which would embarrass Mr. Forster and which would impede the Government of which he was the representative. And I should not wish to suggest that anything further is necessarily involved in the language, or to press the matter further than it ought to be pressed. And there is another reason for saying that—that, in regard to the knowledge of Mr. Parnell of what Egan was doing, or of what Egan had done, and of what had been done in the past years by the Land League and its representatives, after what I have already stated, I think you will have no doubt that Mr. Parnell was thoroughly acquainted with everything

that was going on. I do not believe it possible for Mr. Parnell to state, in a manner which will entitle him to credit, that he was wholly ignorant as to what had been done in past years by the direct representatives of the Land League; and that being so, this proof of communication with Egan, whatever it may amount to, is only one incident in connexion with the whole story, whereby intimate relations between Mr. Parnell and Mr. Egan are established. Then, again, of course, it relates solely to Mr. Parnell, and possibly to the other person who wrote the body of the letter which he sent. It has nothing to do with Mr. Matthew Harris, or Mr. Biggar, or these other persons against whom we repeat we have made charges, charges of which we have formulated the particulars. There are matters relating to the ink and to the handwriting of that letter, on which it would be impossible for me to comment at the present time; but all I can say now is that *The Times* newspaper believe it to be a genuine document, and will put before your Lordships the full explanation with regard to the letter, and, so far as they are concerned, if they possibly can, every circumstance in connexion with the letter. The way in which it was obtained, and all the other circumstances, will be fully explained. I am perfectly aware that over and over again the word "forgery" has been used for the purpose of suggesting that these letters are not genuine. All I can say is that your Lordships will have very ample opportunity, before this inquiry terminates, of investigating on which side the truth lies in this respect. I am not at liberty at the present time to mention, nor should I do so even if I were at liberty, more names to your Lordships. In all probability long before the end of this inquiry is reached all the names of the persons connected with the way and the circumstances in which these letters were obtained will be laid before your Lordships; but, for reasons which are obvious, I decline at the present time to make any statement as to the way in which these letters were obtained, or from whom they were obtained, or as to the sum of money which was paid for them. The facts will in no way be kept back from your Lordships. The sum of money which was paid for them will in no way be kept back. Some money no doubt passed. Of course it is ridiculous to suppose that *The*

Times could obtain letters of this kind without paying for them ; but whether that is a thing which throws doubt or discredit on the genuineness of the letters, that is a matter which must be considered and carefully weighed. This I may be allowed to say—that not one penny was paid, not one penny was promised, no bargain of any sort or kind was made, until the documents had been for months in the hands of *The Times*, and had been carefully examined by perfectly independent persons, and the handwriting had been tested by undoubtedly genuine specimens of Mr. Parnell's handwriting. Therefore it is no case of buying and being determined to use that which had been paid for. The documents, I repeat, were examined by impartial persons with a view to test their genuineness before any use of any sort or kind was made of them, or any promise of the remuneration to be given for them was made. But one word more I may say now on the subject of this letter to avoid repetition when I come to a later letter. It is said in connexion with this letter and other letters that particular incidents in connexion with the handwriting of the signature of Mr. Parnell are wanting, and explanations have been given by Mr. Parnell—not altogether consistent explanations—from which conclusions might be drawn that the signature is not in his handwriting. Every one of those explanations we shall be able to deal with by comparison with undoubted specimens of Mr. Parnell's writing. Every one of those suggestions, if repeated, I shall be prepared to meet, and, by the production of undoubted specimens, your Lordships will be able to judge whether the minute criticisms that have been made are worthy of much weight, having regard to the presence or absence of particular features in specimens which are undoubtedly genuine. With regard to this part of the case, I have simply repeated exactly what I said in the trial of "*O'Donnell v. Walter*," excepting perhaps this, that I have now indicated that the persons from whom and the way in which the letters were obtained will probably be disclosed to your Lordships in the course of this trial. As to what the letter proves, it proves nothing more, and I have never pretended that it proved anything more, than this—that there was the most intimate relation between Mr. Parnell and Mr. Egan, and that there existed the most intimate relations between the other gentlemen whose names are mentioned in the particulars and Mr.

Egan. Whatever may be your Lordships' judgment ultimately, you have, I may be permitted to remind you, to deal with the allegations which were made in "Parnellism and Crime," with the real charges and allegations against the persons referred to in the various passages to which I have called attention, from which it will appear, as I have said, that the charge against Mr. Parnell is that he was from beginning to end connected with the men who were carrying out these outrages, and that the force by which he was working, unless supported by the conspiracy of the Land League, could not prevail or succeed in effecting one-half of the objects which it did succeed in effecting in tyrannizing over the inhabitants of Ireland. With the other circumstances in connexion with the imprisonment of Mr. Parnell I have very little to say. I have to detail to your Lordships certain incidents not referred to in detail in my opening in "O'Donnell v. Walter" in furtherance of the view I am now pressing on your Lordships. There was an intimate relation between Mr. Parnell and those who had been actually organizers of the outrages. That particular part of the story I would ask your Lordships to let me postpone until to-morrow. I will utilize the brief period before the adjournment by just indicating to your Lordships what had happened prior to the month of May, 1882, at which time the particular incident to which I shall refer to-morrow occurred. Sheridan had, as your Lordships have already been told, been arrested in the year 1881. He was released. After his release, and during the earlier part of 1882, he was going about Ireland disguised as a priest. There will, I think, be evidence to put before your Lordships to place beyond all doubt that Sheridan was organizing outrages in the West of Ireland. Boyton was also organizing outrages, or these meetings which led to outrages, and which were followed by outrages in other parts of Ireland, particularly in Leinster. And whatever may be your Lordships' views as to the difficulty or ease with which communications passed from one side of the walls of Kilmainham to the other, your Lordships will, I think, have no doubt that Mr. Parnell knew perfectly well, not only of the outrages which had taken place, of the outrages which followed from the speeches which had been made, but knew the persons who had been mainly instrumental in the organizing of these outrages. I

have mentioned that Sheridan was one of the persons who was chief organizer in the West, that Boyton was one of the persons who was chief organizer of Leinster. I shall give your Lordships the outline of the evidence, on which I think your Lordships will come to the conclusion that there was the most intimate knowledge on the part of Mr. Parnell, not only as to what work Sheridan and Boyton had been engaged in, but also as to what their influence and power was. Davitt at this time was in Portland Prison, and was not released until the 6th of May, 1882. The circumstances under which Davitt was released I shall have to explain to your Lordships. My reason for mentioning it is this—that it will, I think, turn out that there were no means of communication between Davitt and Mr. Parnell prior to Davitt's release on May 6. When Davitt was released on that date Mr. Parnell and Mr. Dillon went down to Portland and had a very long interview with Davitt before he was released; nay, more, I think it will turn out that Davitt's release was postponed at the request of Mr. Parnell until he and Mr. Dillon had an opportunity of seeing Mr. Davitt. I mention it now for this purpose; I have told your Lordships that Mr. Parnell had intimate knowledge of what Sheridan and Boyton had been doing during the time he was imprisoned and before. It is no part of my case that Mr. Davitt, being in Portland, had the same means of information; in fact, beyond the references that are made to Mr. Davitt in "Parnellism and Crime," as to his connexion with Fenianism some long time before and beyond a few speeches in which Mr. Davitt, undoubtedly, did support the total and entire separation of Ireland from Great Britain, I am not aware that Mr. Davitt did take any active part in the organization of the Land League. Certainly so far as I know on my instructions, this tyranny which operated upon the tenants, the poor men who were occupying land as distinguished from persons in high political places, was not a part of the views advocated by Mr. Davitt. The organization which *The Times* attacked, which *The Times* said was supported by boycotting and the sanction of murder, was the Land League organization. At the head of the organization was Mr. Parnell and a number of other persons whose names I have mentioned; but so far as I know Mr.

Davitt was not connected with the particular part of the organization which carried on in Ireland agrarian agitation as I have described it, during the years 1880, 1881, and 1882. I wish to make that statement because it will leave me free to approach at once tomorrow a very remarkable circumstance, which will show clearly that Mr. Parnell was intimately acquainted with the way in which this conspiracy had been worked, the persons who had worked it, and the effect that organization had upon the agrarian and poorer members of the population in Ireland.

WEDNESDAY, OCTOBER 24.

Mr. Biggar appeared in person.

On the Commissioners taking their seats this morning,

SIR C. RUSSELL said,—My Lords, I am still in a difficulty with regard to my application for further discovery. My learned friend asked yesterday to have the matter postponed on the ground that he had not had time to prepare his affidavit, but even now I have not received a copy of it. My learned friend's client had all day yesterday to prepare it.

THE ATTORNEY-GENERAL.—I did not see the affidavit until yesterday morning.

SIR CHARLES RUSSELL.—It was served the day before yesterday.

THE ATTORNEY-GENERAL.—I beg my learned friend's pardon. I saw the affidavit which had been handed to my client the previous day only yesterday morning. An affidavit in reply was made either last night or this morning, and I believe that Mr. Soames, who is not in Court at this moment, will immediately hand my learned friend a copy of it.

SIR CHARLES RUSSELL.—It is rather difficult to deal with the matter in the absence of the affidavit.

THE ATTORNEY-GENERAL.—I have sent for one.

SIR CHARLES RUSSELL.—Then I will proceed in its

absence. I daresay that I shall get a copy of it some time. The affidavit of Mr. Lewis, to which my learned friend has referred, states that, "in addition to the letters which purport to be written by the said Mr. Parnell, and which he alleges to be forgeries, I am informed and believe that the said defendants, or their solicitors, have in their possession forged letters which are alleged to have been signed by Mr. Dillon, M.P., Mr. Biggar, M.P., and other members of Parliament, which said letters have not been disclosed by the said defendants or their solicitors." It is upon that affidavit that the present application for further discovery is founded, but in point of fact that affidavit was hardly needed, because the affidavit of the defendants in "O'Donnell v. Walter and Another" puts the matter very clearly. In that affidavit they admitted that certain documents were contained in a box marked with the letter A. Your Lordships will observe that in an ordinary action it would not be a sufficient discovery to say that a number or bundle of documents were contained in a particular box. My learned friend says that he objects to produce the documents referred to in the first part of the second schedule to Mr. Soames's first affidavit, upon the ground that they were documents which were obtained after the commencement of the action of "O'Donnell v. Walter" for the use of the advisers and solicitors of the defendants in that action and for the purposes of the said action. Your Lordships will recollect that the doctrine of privilege does not extend to a case where the documents are already in existence *aliunde*, but merely to such documents as have been created for the purposes of the action, or, in other words, such documents as do not profess to be original documents, such as these letters purport to be, but are merely drawn up for the purpose of instructing the solicitors and advising the counsel in a particular case. They admit that they have a large bundle of these documents, the

number of which we cannot tell—they merely refer to a bundle—which they do not deny, on the contrary, they admit, to be material to the case; and if these documents comprise what purport to be original letters of Mr. Dillon and Mr. Biggar and others, then it is very important for us to see them. I have not seen the fresh affidavit which Mr. Soames has made.

The ATTORNEY-GENERAL, producing Mr. Soames's affidavit, said,—I will read it.

SIR CHARLES RUSSELL.—I am very much obliged to you, but I am quite able to read it myself.

The Attorney-General then handed the affidavit to Sir C. Russell.

SIR CHARLES RUSSELL.—This is what Mr. Soames says :—

“ I, Joseph Soames, of 58, Lincoln's-inn-fields, in the county of Middlesex, solicitor, make oath, and say as follows :—

“ 1. That I have read what purports to be a copy of an affidavit of George H. Lewis in support of application for further and better discovery of documents.

“ 2. I received from a person in America certain documents, which I believe are the documents referred to in the said affidavit, though I do not recollect any purporting to be signed by Mr. Biggar.

“ 3. The said documents were, I am informed and believe, handed to the said person by a person passing under the name of Roberts. Two of them were sent to me in the first instance, and I at once discovered that they were not genuine. The person who sent them to me discovered that the others were not genuine immediately he saw them, and on that ground did not forward them to me. He afterwards handed them to me when he came to England, and seeing that they were clearly not genuine, I considered they were in no way relevant to the matters in question in the action of ‘ O'Donnell v. Walter ’ or to the present proceedings. I put them on one side as worthless and immaterial. They have always been so regarded, and I do not believe that they were ever seen by my clients or either of them.

“ 4. I cannot say if all the said documents are in my possession now or not, as I do not remember how many there were. Some of them are in my possession, but they were all received by me after the commencement of the said action, and only as solicitor for the

defendants in the said action and for the purposes of the said action."

Therefore Mr. Soames does not deny, on the contrary he admits, the possession of documents which were acquired by someone acting in the interests of his clients and which have been proved to be forged documents, and he admits that some were obtained in America and some here ; but he says nothing to identify them as being the documents in the box, beyond saying that they were acquired for the purposes of the defendants in the action of " O'Donnell v. Walter." I think, therefore, that these documents do not come within the doctrine of privilege, even if that doctrine applied to such a case as this. Your Lordships will recollect that the Act of Parliament, to avoid any objection of the character now made by my learned friend, gives your Lordships power to order discovery of any documents whatever. I will upon this point refer your Lordships to section 2 of the Act. Your Lordships will observe that in the earlier part of that section it is enacted that " the Commissioners shall for the purposes of the inquiry under this Act have, in addition to the special powers hereinafter provided, all such powers, rights, and privileges as are vested in Her Majesty's High Court of Justice, or in any Judge thereof, on the occasion of any action, including all powers, rights, and privileges in respect of the following matters ;" and then, by subsection 3, it is enacted that " the Commissioners may, if they think fit, order that any document or documents in the possession of any party appearing at the inquiry shall be produced for the inspection of any other such party." That subsection, therefore, gives your Lordships power to override this particular privilege, even if it exists in this case. In order to show your Lordships that I have rightly stated the doctrine of discovery, I will refer you to the last case, or at all events the most authoritative case, which was decided in the Court of Appeal. It is the case of " Pearce v. Foster," and it is reported in 15 Q.B.D., at page 118. The Master of the Rolls says :—

" In this case the affidavit of the plaintiff appears to me in substance to state that the documents in question are documents which were prepared by the solicitor in an action for use in the conduct of an action, and that they were so prepared to be used for

the purpose of private and confidential communication between counsel, solicitor, and client in relation to an action. It seems to me, therefore, that they fall within the class of documents with regard to which there is a professional privilege, on the ground that they are brought into existence for the purposes or in the course of professional communications between solicitor and client. I do not think that where documents are already in existence *alivunde* the mere fact of their being handed to a solicitor for the purposes of the conduct of an action can create a privilege; but where documents are brought into existence by a solicitor, or through a solicitor, for the purposes of consultation with such solicitor, with a view to his giving professional advice or to the conduct of an action, these are in the nature of professional communications, and are, as such, privileged." Of course it cannot be said that these were documents called into existence either for the purposes of the action of "O'Donnell v. Walter and Another" or of this investigation. Whether they were brought into existence by some other persons for an entirely different purpose is an entirely different question. On these grounds, my Lords, I claim inspection of all these documents.

Mr. R. T. REID.—I have no desire to cover any ground that my learned friend has covered, but I desire to fortify the argument he has put forward by other matter shortly stated. The Attorney-General in the course of his speech has furnished the most ample grounds for this application. He has referred to the existence of a letter dated in August, 1881, in relation to the moonlighters who were wounded by the police, and in respect of whom application was made for relief to the Land League, which is signed "J. F.," and the Attorney-General says that those are the initials of John Fergusson, of Glasgow. That document is not set forth in the affidavit of discovery, and I submit that it is one of the most relevant documents that can well be conceived, having regard to the nature of the Attorney-General's opening, and I respectfully claim the right to see that document and to have it disclosed. Another matter that ought to be disclosed is the bundle of documents which are said to have been handed to some person by a clerk in the employ of the League. These documents were not created in any sense for the purposes of the

action of "O'Donnell v. Walter" or for those of this investigation, and if they are genuine—and of their genuineness or otherwise I know nothing—they ought most certainly to be disclosed, in order to give those whom I represent an opportunity of stating their case. If they are not genuine they are still more material as showing matters of importance from another point of view. Again, the Attorney-General has referred to a variety of different speeches which have been made in different places, and he has relied on those speeches as affording evidence of some complicity with crime on the part of persons incriminated. The Attorney-General does not deny the fact that they are merely a few out of a good many speeches, and I say that those other speeches to which he refers have not been set forth in the affidavits of documents nor is any reference made to them, except that mention is made of the contents of a box and a bundle of documents. More than that, the Attorney-General has referred to some other correspondence, and I respectfully submit that in addition to those documents the existence of which is admitted in the affidavits, there have been opened by the Attorney-General, not only as material but crucial, documents on a variety of matters which find no place whatever in the affidavits before you, although they would be incontestably inadmissible in an action between parties, and how much more so in an inquiry of this character?

The ATTORNEY-GENERAL.—With regard to the substance of my learned friend's affidavit I will deal with that first. I am not going to say anything about the jurisdiction of this Court. Your Lordships have full power to order any document to be seen, and therefore I shall say nothing more on that point. This application was made with reference to certain other documents which Mr. Soames has in his possession, and no such application could possibly have been made but from some communication made to the defendants, the particulars of which have not been disclosed. The affidavit made by Mr. George Lewis is remarkable. It may be allowed that Mr. George Lewis is as expert a solicitor as there is in London. He says:—"I am informed and believe that in addition to letters purport-

ing to be written by Mr. Parnell there are other letters in their possession alleged to have been written and signed by Mr. Dillon and Mr. Biggar." He does not pretend that these documents are material. He does not suggest that they are material to any issue raised in "Parnellism and Crime" or in "O'Donnell v. Walter." He merely says that he has been informed that my clients have in their possession certain documents which, he says, are not genuine. What does the affidavit of Mr. Seames show? It shows that some person was attempting to play a trick upon either *The Times* or their representatives, and somehow or other the information that that trick was attempted to be played was communicated to Mr. George Lewis. In all probability in the course of this case your Lordships will learn by whom the communication was made, and possibly from whom the original documents emanated. The question whether the letters are genuine or not, as far as Mr. Parnell is concerned, is a matter of great importance. It was stated just now by Sir Charles Russell that it was the most important issue in the case, but I think I made it clear yesterday that when the substance of the real charges and allegations originally made in "Parnellism and Crime" are examined, the genuineness of Mr. Parnell's letters will be found to be by no means the most important issue. Be that as it may, how can it be suggested that the existence of documents, genuine or otherwise, alleged to be signed by Mr. Dillon, Mr. Biggar, and other members of Parliament, not said to come from the same source, should be material? It is simply for the purpose of suggesting that *The Times* is in possession of some documents not genuine that this application is made. I have no objection that the documents should be seen if your Lordships think that they ought to be seen. But with reference to this application having been made because my clients have not disclosed. I respectfully but

emphatically protest against that assumption, because those who advise my learned friend know perfectly well that they have not any materiality and they have not dared to put into their affidavit that they were material to the issue raised. Now, as to the next point, whether there has been a sufficient disclosure, my learned friend says that the documents were referred to by the defendants in "O'Donnell v. Walter" as a bundle of papers, contained in a box marked "A." Sir C. Russell suggests that an improper affidavit of documents was made. My client instructs me that at the time of the affidavit being prepared he offered to submit the documents put into the box to the secretary of the Commission, in order to be identified as coming within the rule your Lordships laid down at the preliminary meeting, when your Lordships dealt with this question. On that occasion your Lordship said :—

"In addition to any grounds of privilege which may be made in the usual way by Mr. Graham's clients, the Court will take upon itself to consider what documents it would be right should be produced for the inspection of Sir Charles Russell's clients, and for that purpose we shall, upon those points upon which a difference arises, exercise our own judgment, and, in order that that power which we desire to reserve for ourselves should be preserved intact, we do not require the schedule which will be made by Mr. Graham's clients to be made in such a shape as to disclose anything as to which they desire to raise a question before us. They will schedule their documents in such a way as will not disclose by the scheduling that which they desire to have our opinion upon with regard to the fitness of producing the particular document—as for instance, to give an illustration, documents, as is usual in these cases, obtained by the solicitors for the purposes of litigation. Well, that would be a head of privilege ; and so any other ground of objecting to producing certain documents may be specified by Mr. Graham's clients."

Mr. Soames, who was responsible for this affidavit, had, of course, to decide what was material and what was not. I need scarcely repeat the observation I

have made that, having regard to the main charges or to this particular charge, the possession of a hundred other documents having no relation to the particular issue raised would not be material. How could the possession of documents which Mr. Soames swears he at once discovered not to be genuine have any bearing on the investigation as to whether other documents are genuine? How can the documents which the agent of Mr. Soames in America discovered not to be genuine be material? They were placed on one side as worthless and immaterial, and I do not believe that they were seen by my clients. Until we have the means of knowing from whom Mr. George Lewis obtained information as to these documents they ought not to be seen. With reference to Mr. Reid's application, it is entirely unsupported and novel.

SIR C. RUSSELL.—It is the same application.

THE ATTORNEY-GENERAL.—My learned friend is asking that he should see the proofs of my witnesses. Every one of these documents has come into the possession of *The Times* in the course of this litigation and for the purposes of this litigation. Take the case of the speeches, which are the proofs of the witnesses which will be tested by cross-examination. Is it to be said that my learned friend is to have not only the proofs of those speeches, but also of some other speeches which he has the same access to as I have? My learned friend said that I admitted that there were other speeches; but what I said was that there were other meetings, and that I regretted that I was not able to produce reports of the speeches that were delivered at them. It has never been the practice of ordinary Courts of law, and it ought not to be of this Commission, that the speeches which are the proofs of the witnesses as to the utterances of these men should be produced. As to the letter of Timothy Horan, that is part of the proof of my case, and it is one of the documents as to which privilege has been claimed, and I should like to know by what affidavit they could claim to see it. No case, I submit, has been made out for the production of this document, for it has come to the knowledge of our solicitor in the course of getting up the case and is part of our proof. And documents which have come into existence in the course of getting up

a case are always privileged, and ought not to be allowed to be seen by the other side. What was decided in "Pearce v. Foster" was that the mere fact that a document had come into the possession of a party's solicitor in getting up a case was no ground for its being privileged if it was otherwise a document that ought to be disclosed. But here the documents that my friend seeks to see are documents that are part of the proof in our case. If my learned friend makes a substantive application with regard to Land League papers, and moves on affidavit, I shall be prepared to meet such application. My learned friend has said that I stated that I had certain books of the League. I said nothing of the kind. I have not, and have not seen anything that could be described as a book of the Land League. On the contrary, I have to regret the total and absolute disappearance of the books of the League. I respectfully submit there is no ground for this application of Sir Charles Russell. With regard to Mr. Reid's application I also submit that my clients have fully discharged their duty as to discovery.

SIR C. RUSSELL.—My learned friend has expended a great deal of argument on a matter which is comparatively trivial. All I said about this affidavit was that when privilege is claimed the rules of the Court require that the documents with respect to which such privilege is claimed shall be enumerated and not generally described, and that has not been done in this case. But with reference to the substance of this application, I, on the occasion of the preliminary meeting, called attention to this matter. I said, 'Here is a case in which one side produces letters alleged to be genuine, and which on the other side are denounced as forgeries. The statement is made that these have been brought to *The Times*, and that its representatives have been imposed on.' Surely it is of the greatest consequence that we should know whether these documents that have been produced are a selection from a larger number that have been imposed on them. Mr. Soames says that he received from a person in America certain documents which I

believe are the documents referred to in the affidavit. But who was this person? I am not asking his name. It is admitted that he was an agent of *The Times* in America, acting *bona fide* on their behalf in purchasing or endeavouring to acquire documents which they believed to be material to these charges. "The said documents were, as I am informed and believe," says Mr. Soames, "handed to the said person by a man named Roberts," and then it is said that they are not believed to be genuine. Surely we should see these documents, coming as they appear to do from some manufactory of forged documents. Can it be said that it is not material how many more forged letters there are? Surely it is most material that the Court should have every one of these documents before it, and that *The Times* should help in attaining this object, especially as my learned friend is instructed to express his anxiety and readiness that the whole of the truth should be probed to the very bottom. On my learned friend's own allegation that they are forgeries their materiality is manifest. Does Mr. Soames suggest that they are not material? If he thought they were not material he would have made no reference to them at all. If he did not believe they were material, they would not have found a place in the affidavit. But they are in the affidavit of documents.

THE ATTORNEY-GENERAL.—I beg your pardon, Sir Charles. Can you refer me to any paragraph in the affidavit? My learned friend is absolutely misinstructed. They have never been referred to either directly or indirectly in any affidavit of Mr. Soames until this affidavit made this morning.

SIR C. RUSSELL.—Surely my learned friend is mistaken. I am referring to the affidavit of documents in which they say:—"We have in our possession or power the documents relating to the matters in question in this Commission set forth in the first schedule thereto and in the second part of the said schedule. And the second part of the said schedule contains a reference to a bundle of documents contained in a box which is produced and marked with the letter A."

THE ATTORNEY-GENERAL.—But those letters are not in the box.

SIR C. RUSSELL.—What letters?

THE ATTORNEY-GENERAL.—The letters you are now asking to see.

SIR C. RUSSELL.—Well, that makes the confusion worse confounded. What is in the box? Certainly up to this moment I was under the distinct impression, and I fancy that everybody who has heard the discussion was under the impression, that these letters were in the box.

THE PRESIDENT.— I have never been under that impression.

MR. JUSTICE A. L. SMITH.—Nor I. It never was suggested until Mr. Lewis started it, and then came Mr. Soames's answer.

SIR C. RUSSELL.—I was under that impression, but if I am wrong the argument I was using must go by the board. The question still remains for your Lordships' decision whether these letters are or are not material. With regard to the rest of the documents I do not quite follow my learned friend's contention. He has referred to them in his opening speech, and he can scarcely say they are not material. He has referred to the letter alleged to have been written by Horan in Cork to Kenny of the Land League in Dublin. He cannot say this is not a material letter. And if it is we are entitled to see it. Lastly, let me remind your Lordships that these are all documents said to have been in existence as far back as 1881 and 1882, years, therefore, before the action of "O'Donnell v. Walter," and years before this Commission. These are the grounds on which I submit we are entitled to have full discovery. Let me, however, make a suggestion. We desire—I will not make professions—I will leave that to my learned friend—but I would suggest to your Lordships that, if you have any doubt about this matter, you should yourselves see this bundle of documents and these letters and yourselves examine them fully and thoroughly. If there be reasons which operate upon your Lordships' minds why we should not have these in the interests of justice and truth, we will submit to your Lordships' ruling and judgment in the matter. But unless there exist in your Lordships' minds such reasons as I have referred to, I submit that we are entitled to have inspection of such documents and copies of them.

After consultation,

THE PRESIDENT said,—I think it will be found that I

made some observations at the preliminary meeting in anticipation of some such proposal as this. I understand distinctly from you, Mr. Attorney, that you do not object to our seeing these letters.

The ATTORNEY-GENERAL.—Yes, my Lord, and more than that. I am perfectly willing that the whole of these documents and the entire contents of the box should be seen by your Lordships.

The PRESIDENT.—I understand, Sir Charles, that that is your suggestion.

SIR C. RUSSELL.—Yes, my Lord.

The PRESIDENT.—I can only say, speaking for myself, that I am obliged to counsel for this suggestion, which I think will lead to the best settlement of the discussion which has arisen. Although, no doubt, it is a very onerous duty to be imposed upon us, yet we accept it. We will ourselves personally examine the documents for which privilege has been claimed and which are now enclosed in the box. That has only been done for the purpose of identification, and whether numbers are affixed to the documents or not it makes no difference, if we can be certain as to their identity. Then there arises the question of certain other documents which it is admitted are not in the box. Your consent extends to them also, I suppose?

The ATTORNEY-GENERAL.—Certainly.

The PRESIDENT.—Very well ; we will look into the documents and we will inform you of the result of our investigation. Box A has been put into the hands of the Secretary of the Commission. The other documents can be put in a box marked B.

SIR C. RUSSELL.—I have now another application to make, my Lords—namely, an application for further particulars. Your Lordships will probably recollect that this matter was a good deal discussed at the preliminary meeting, and an order was made which called upon the defendants to give the best particulars they could of the charges and allegations which they pro-

posed to support by evidence, specifying so far as they could the charges and the names of the persons against whom the charges were respectively made. I will assume that the particulars which have been delivered are familiar to your Lordships. I gather from my learned friend's opening, so far as it has gone, and his reading of a great number of speeches, some delivered by very obscure persons, that he alleges that all the persons scheduled in the affidavit of particulars were engaged in a combination, or organization, or conspiracy, and I gather that he intends to ask your Lordships to attribute to those persons directly named all that was done by any one connected with this alleged combination, organization, or conspiracy. That is a view which will be contested by us when the proper time comes for his endeavouring to support it by evidence. In addition, I find only two charges against particular individuals—first the charge of making certain speeches, and then the charge against Mr. Parnell of having written the letters already referred to. Now we do not complain of anything in the particulars, though we shall have to complain of a good deal that is not in them. With the exception of the case of Mr. Parnell there is nothing in these particulars which will tell any one of the 65 persons charged what is the charge against him. Therefore I want to know whether the Attorney-General alleges that any one of these 65 persons himself incited to outrage or was a party directly to outrage or a party directly to the application of funds for the purposes of outrage, or is his case solely based on the general allegation to which I have referred? If it is we shall know where we are. If it is not, and it is intended to be alleged that any person named in the schedule was a party beforehand or concerted previously in regard to any outrage, or was guilty of connivance or complicity or was an accessory afterwards to the commission of crime or outrage, then I say the simple rules of justice require that such person should be told what that outrage was. I would direct your Lordships attention to the curious phraseology of paragraph 8 of the particulars:—"It is charged and alleged that the members of Parliament mentioned in the schedule approved, and

by their acts and conduct led people to believe that they approved, of resistance to the law and the commission of outrage." Your Lordships will observe that the acts and conduct referred to are not acts and conduct connected with resistance to the law and with outrages, but such acts and conduct as " led people to believe " that they approved of such resistance to the law and outrages. So again in another paragraph they are charged with being parties to payments for certain purposes. What payments? By whom made, to whom made? I ask for particulars on these points. There is one other matter to which I desire to refer. I intimated to your Lordships on the first day that it is obvious from these particulars that the defendants in the case of " O'Donnell, v. Walter " have considered that they are not bound to give particulars of the charges against " other persons." I submit that we are entitled to such particulars, especially having regard to the line taken by the Attorney-General, who, as I gather from his speech, charges all those whose names are scheduled with responsibility for the acts of all persons who were in any way connected with this alleged conspiracy. One of these persons, possibly the most prominent person, Mr. Michael Davitt, who was unquestionably the founder of the Land League, is here, and, I believe, has an application to make to your Lordships on this point. His name does not appear in the particulars. These are the grounds upon which I submit that, in the interests of truth and justice, which my learned friend so frequently invokes, we are entitled to further particulars.

Mr. RKID.—With reference to the other members, exclusive of Mr. Parnell, I wish to refer your Lordships to paragraph 14 of the Particulars of Charges :—
" When on certain occasions they considered it politic to denounce, and did denounce, certain crimes in public, they afterwards made communications to their associates and others with the intention of leading them to believe that such denunciation was not sincere." I submit that some further particulars of this allegation ought also to be given, so that those whom it affects may meet it.

Mr. Davitt.—I, my Lords, have also an application to make. I desire to ask your Lordships for leave to appear at this inquiry. In his speech in the case of " O'Donnell v. Walter " the Attorney-General made

serious charges against me which I should like to read to your Lordships.

The ATTORNEY-GENERAL.—I have no wish that Mr. Davitt should not appear. I see no reason why he should not.

The PRESIDENT.—You are plainly entitled to appear.

The ATTORNEY-GENERAL.—Leave is required, my Lords, under the Act.

The PRESIDENT.—Well, you have leave to appear, Mr. Davitt.

Mr. Davitt.—I have also to ask that particulars of the charges against me may be delivered.

The PRESIDENT.—I shall make the same order in your case that I did in another. You will be put in the same position as the clients of Sir Charles Russell.

Mr. Biggar.—I beg to give notice of a similar application for particulars in regard to myself. It will be convenient if I can get to know from the representatives of *The Times* what they charge me with. I am charged with being mixed up with certain persons, many of whose names I do not even know, and the majority of whom I do not know personally. It is only fair that I should know which of these 14 charges against me the Attorney-General intends to proceed with.

The ATTORNEY-GENERAL.—Mr. Biggar has put his point very clearly, but my answer is that he was represented at the preliminary inquiry by Sir Charles Russell, and an order as to particulars was then made which applied to his case.

The PRESIDENT.—But Mr. Biggar now appears personally.

SIR C. RUSSELL.—I stated at the time that I only appeared for Mr. Biggar on that occasion for the purposes of that occasion only.

The ATTORNEY-GENERAL.—Well, Mr. Biggar has been dealt with, rightly or wrongly, in the order for particulars already made. With regard to the substance of this matter, I read on Monday to your Lordships a great quantity of matter—I fear I was wearying your Lordships—from “Parnellism and Crime,” and I pointed out that the charges as summarized were the charges and allegations made, but that that in no way fettered your Lordships’ judgment hereafter. Your

Lordship said I had made out that I was not going beyond the charges made in the action of " O'Donnell v. Walter and Another."

The PRESIDENT.—What I intended to convey was this, that you justified the particulars as representing the charges and allegations referred to in the Act.

The ATTORNEY-GENERAL.—Exactly, my Lord.

The PRESIDENT.—I did not intend to deal with their sufficiency, or whether there were other charges that did not appear in the particulars.

The ATTORNEY-GENERAL.—Certainly, my Lords. I was endeavouring to say that in my own way. The question is what are the charges of which we propose to give evidence ; and my answer is that they are included in our particulars. These charges are charges of conspiracy—charges of being party to a conspiracy with wicked objects and with objects which were carried out by means of criminal acts ; and to suggest that I am to give particulars of all the acts I am going to prove would be to impose on me the task of giving in detail the evidence that each of my witnesses is going to give. An order for discovery was made against Mr. Parnell, Mr. Biggar, Mr. Harrington, and Mr. Justin M'Carthy ; but what was the result ? Why, Mr. Parnell himself, who was the president of the Land League, stated in his affidavit in reply that he had not, and had not had, any documents of the Land League except one letter addressed to him by Frank Byrne, and dated July 1, 1880.

The PRESIDENT.—This is a sort of *tu quoque*.

The ATTORNEY-GENERAL.—No, not quite. My friend asks for particulars of the overt acts. But my case does not depend on overt acts only ; my case depends on the fact of those persons attending at meetings at which certain things were determined to be done, and, in consequence of these meetings, certain acts being done. It is unreasonable to ask me to give particulars of facts many of which are not and cannot be within my knowledge. All I know is that certain members of the Land League went down to different districts and made speeches, and that certain acts followed—we say, as a consequence of those speeches. And we say that all the persons whose names are mentioned in the particulars are legally responsible for what took place in

consequence of the conspiracy. In regard to those speeches full particulars have been given. All the meetings of which we propose to give evidence have been specified.

The PRESIDENT.—The attendance at the meeting and the date of the meeting?

The ATTORNEY-GENERAL.—Yes.

The PRESIDENT.—Well, I imagine the nature of the application is that if you have anything else that you can specify, then you ought to do so.

The ATTORNEY-GENERAL.—Practically what is asked is that I should state the evidence which I intend to give in support of my case. Let me take this instance. Supposing that at a Land League meeting it was determined that Matthew Harris should be sent as organizer to a certain place, and supposing that at that particular meeting certain members were present when Matthew Harris's report was received, am I to be asked to state which of them were parties to the acts that subsequently occurred? Supposing it was a standing order of the League that all persons charged with shooting at landlords should be defended by Land League funds, it is impossible for me to give the names of the persons present when that standing order was passed. Then we say that they were parties to and cognizant of payment of moneys for the commission of crimes, and as testimonials and rewards to persons who had been convicted of crimes. I have often mentioned that the fact that moneys were paid would be proved, not by proving the particular payments which particular individuals knew of, but by proving what was the daily practice of the League, with which we shall submit these gentlemen were well acquainted. Then, again, we have said that, with knowledge that crimes, outrages, and acts of boycotting and intimidation had followed the speeches, they expressed no *bona fide* disapproval.

SIR C. RUSSELL.—I made no application with regard to that.

The ATTORNEY-GENERAL.—I am pointing out that where we could give the particulars we have given them. We have fulfilled the onus which is cast upon us, and we ought not to be asked to give particulars of every overt act. My learned friend said, "We wish to know whether we are going to be charged with inciting to or conniving at particular crimes." My charge and allegation is this—that you incited and approved

of and connived at a series of crimes ; not one crime, but hundreds of crimes. And I ask your Lordships, dealing with the matter as a system, whether I have not shown there was a system, a continuous system, during the years of 1881 and 1882, whereby the decrees of the Land League were enforced by the commission of crime. All I can say is, " You connived at every one of these crimes," and they cannot get up and say these particulars are not sufficient in the middle of my opening.

SIR C. RUSSELL.—I made the application at the first sitting of the Court.

The ATTORNEY-GENERAL.—I beg my learned friend's pardon. He did nothing of the kind. He indicated that he had two applications to make, and, mentioning one—viz., that for discovery, asked that it might be postponed to yesterday morning. My charge is not that Mr. Parnell knew of the commission of particular crimes, that poor Rafferty was to be carded or that another person was to be murdered ; but that he and his friends on the Land League committee were parties to the system I have described, that they approved of it, allowed it to be carried out, and that even after that system had been shown to have these dire effects they went on doing the same thing. That is the charge, and I respectfully submit that unless I am to prove the whole of my case on paper in the first instance, unless I am to write down the whole of the evidence of each of my witnesses, I submit that I am not called upon to do anything more than I have done, and that your Lordships ought not to make any further order. Rightly or wrongly *The Times* newspaper has made certain charges, and your Lordships said the other day, " We think it right that you should indicate in respect of which charges you propose to offer evidence ;" but the duty of inquiring rests with your Lordships and not with *The Times*. If I had gone out of this Court your Lordships could not have refused to discharge the duty which the Act of Parliament imposed on you. I desire, however, to put before your Lordships all the facts I can with regard to the matter ; but information comes to us day by day with regard to matters of detail, and things which I could not have put in particulars the day before yesterday I might be able to put in now. They are proofs of the charges made, and unless your Lordships think I ought at once to disclose certain special incidents in

which we may be able to show more intimate knowledge on the part of some individuals than others with crimes, no further order ought to be made. Take the case of Mr. Parnell. My learned friend has said that the only important question with regard to him is whether he wrote the letters attributed to him.

SIR C. RUSSELL.—I never said so.

The ATTORNEY-GENERAL.—Or take the case of Mr. Biggar, Mr. Harrington, or Mr. Harris. I have been opening in detail to your Lordships particulars of various acts of several of those gentlemen. Is it in accordance with what your Lordships intended ought to be imposed on *The Times* that they should give further particulars as they got information from witnesses from time to time? I respectfully submit that unless your contention is that justice requires that my whole case should be put on paper before you, I have done all that your Lordships intended that I should do. I have stated with great particularity the charges I make. I have said, "You, Mr. Parnell, did know that certain acts followed certain speeches, and you approved of those speeches." If my learned friend says, "You made charges in 'Parnellism and Crime' which you have not now included in the particulars," it does not at all follow that no evidence will ultimately be given upon them. Your Lordships never intended that the inquiry should be limited to those particular instances which we were able to give. Your Lordships said, "If you will honestly do your work, we will endeavour to do ours," and we have intimated in quite the best way we can what we do allege. All I am now doing is to lay before your Lordships the evidence I propose to tender in support of the very specific charges I make.

SIR C. RUSSELL.—My Lords, the pith of this matter may be stated in a sentence. Either my learned friend's clients are instructed that there are definite charges proper to be made against particular individuals of acts of incitement to or connivance at crime before or after the commission of that crime, further and other than mere membership in this association or conspiracy, or they are not. If my learned friend says he has not any materials for such specific allegation, then my application falls to the ground.

The ATTORNEY-GENERAL.—Nothing of the sort.

SIR C. RUSSELL.—If, on the other hand, he has evidence in support of such specific allegation, then surely the interests of common truth and justice require that we should be told by the advocate of truth and justice what these charges are and what particulars he has of them. Let me give an illustration. My learned friend referred yesterday to a case, the unhappy murder of Mr. Herbert, which occurred on March 30, 1882. In his opening my learned friend sought to connect that murder with a speech made at Knocknaball in the month of June, 1881.

The PRESIDENT.—Is that speech among the speeches referred to in the schedule?

SIR C. RUSSELL.—No, my Lord, and that is the point to which I was going to call attention. It is not charged that any member of Parliament was present at that meeting, and my learned friend has alleged that he is in a position to make definite charges of a specific character, other than membership in this organisation, in connexion with that incident. I want to know why we are not to know what these charges are. Of course I am only referring to matters which are now in their knowledge, and not to matters which may hereafter be brought to it; but I know of no reason why, in regard to matter which they have now in their knowledge, they should not give particulars, in order that the persons incriminated in this manner may have an opportunity of dealing with them fairly and fully, by the cross-examination of the witnesses, so as to understand what the position of things really is. My learned friend has put it upon me that I have said that the only important charge against Mr. Parnell is that of the letters. I have never said so. I have said that is one of the most important charges, if not the most important charge in this matter, as, indeed, it certainly is the only charge that has any novelty about it. So far as the other charges go, they are a mere *rechauffé* of what was published and discussed years ago. But that does not relieve this Court of the duty, as I would respectfully submit, nor my learned friends of the obligation to take care that where there is a definite charge made against any one of these 65 members, that charge should be made plainly, so that the party concerned shall have an opportunity of meeting it.

The ATTORNEY-GENERAL.—Would you look at page

22 of the proceedings at the preliminary meeting of the Court?

SIR C. RUSSELL.—After that discussion the order was made that particulars should be given of the charges which are respectively made and of the charges against each of the persons. There is nothing in these particulars which would shew what is charged against any one person beyond the fact that he was a member of this organization.

After consultation with the other Commissioners,

The PRESIDENT said:—The particulars which have been given may be said generally to disclose a charge of conspiracy to bring about certain ends by illegal means, and that must be dealt with in the way in which charges of conspiracy are usually dealt with. It is not necessary that all the details of the overt acts should be stated in the particulars. The object of particulars is to inform the persons accused of the nature of the charge brought against them, in order that they may be prepared to meet it. We are of opinion that these particulars do fulfil the conditions required by the practice of the law in that respect. Undoubtedly if there be any particular incidents with regard to individuals of which information could be given other than the general connexion with the organizations that have been referred to, I must say that I think it would be desirable that information upon those points should be given, in order that opportunity might be afforded for preparing for the cross-examination of the witnesses; but in these matters it is impossible to search the consciences of the people concerned, and I think there is no reason to suggest that these particulars have not been drawn with a desire to give such information as it is in the power of the clients of the Attorney-General to give at this stage. The Attorney-General is opening his case with great particularity, and he has indicated the nature of the evidence which he proposes to lay before us. There has, therefore, been an opportunity of seeing

many matters which may be met by countervailing evidence or by cross-examination of the witnesses called in support of the statements made. If we see that there are points upon which it would be right that there should be delay in order that Sir Charles Russell's clients may inform themselves further than they are at present informed, we will grant an opportunity of allowing that ; but there is no reason at this stage of the proceedings to require the defendants in the action of " O'Donnell v. Walter " to give further particulars than they have already given.

The ATTORNEY-GENERAL.—My Lords, as there has been an interlude in my opening, I should like to mention a matter which must be formally brought before your Lordships, and that is the question of the expediency of making an order against the Hibernian Bank for the production of bank-books. The only reason given by the bank for refusing to produce their books is that counsel has advised them to decline to do so. I propose that an affidavit should be filed of the service of your Lordships' order on the bank, and I should then ask your Lordships to name a day on which an application might be taken.

The PRESIDENT.—Will it be necessary to come to us ?

The ATTORNEY-GENERAL.—In the action of " O'Donnell v. Walter " we had to go to the Court for the purpose of getting production, but we did not get it then. The order was not obeyed. I am afraid it will be necessary to come to your Lordships.

The PRESIDENT.—If the bank ultimately refuse to produce their books we shall be obliged to have recourse to our powers ; but we shall not do that without giving them an opportunity of appearing here.

The ATTORNEY-GENERAL.—Perhaps the better course would be that I should mention the matter formally, and if the bank do not intend to comply with the order, they can be called upon to appear on Monday or Tuesday. Before I resume my opening I have one other remark to make, and that is that as Mr. Davitt has appeared upon this inquiry, I must ask him for an affidavit of documents.

The PRESIDENT signified assent.

The ATTORNEY-GENERAL then resumed his opening address. He said,—Your Lordships will recollect that I had arrived last night, when the Court adjourned, at the discussion of certain incidents prior to the month of May, 1882. I should indicate to your Lordships that there are two other letters which passed early in 1882 which are of importance apart from the ordinary question of handwriting—two letters believed to be in the handwriting of Patrick Egan. One is under date March 8, 1882 :—

“Dear Sir,—Your presence in the West is urgently asked for. The thing must be done promptly. Send reply to address already given you. Yours truly, PATRICK EGAN.”

I am not able to state at the present time to whom that was addressed. The second letter is under date March 11, 1882 :—

“Dear Sir,—As I understand your letter which reached me to-day, you cannot act as directed unless I forward you money by Monday's post. Well, here is £50 ; more if required. Under existing circumstances, what you suggest would not be entertained. I remain, dear Sir, yours truly, PATRICK EGAN.”

I do not read the other documents referred to in the course of the proceedings in “O'Donnell v. Walter” prior to that date, as I am not able to say they have any direct bearing on the matter except in regard to the question of handwriting. Now I go to a part of the case which requires rather careful treatment from me, and which will, in our view, form an important feature or incident in connexion with this matter. I have many times suggested to your Lordships that I should submit that there was no doubt of any kind, nor could be any doubt, that Mr. Parnell was personally acquainted with what was the outcome of the action of the Land League, and that ultimately he would not be allowed to say that he was not responsible for what the Land League had done, and for what the individuals with

whom he was personally connected had done in furtherance of the cause of the Land League ; for what had been done by such men as Sheridan, Egan, Harris, Gordon, Brennan, Nally, Boyton, Biggar, and others. Now I approach an incident in the case which, if the evidence I shall produce before you be in accordance with my instructions, will prove conclusively that Mr. Parnell did know what had been done by Sheridan, Egan, and Boyton. I mention these three names, not for the purpose of suggesting that he did not know what was done by the others, but because the incident to which I am about to refer only shows, if it be accurate, specifically that he did know in reference to these particular individuals ; and that is most important, because if the account of what passed between Mr. Parnell and the witness I shall call be true, undoubtedly Mr. Parnell did know that Sheridan had been actively and intimately engaged in the promotion of outrages in the West, that Boyton had been engaged in the promotion of outrages in Leinster, and that Egan had been supplying funds with which outrages had been promoted, not only in those places, but elsewhere. I am sure I shall not be misunderstood, but I will repeat what I said this morning—it is no part of my case to suggest that Mr. Parnell knew the names of the particular individuals to be assaulted or the particular landlord against whom an outrage was contemplated, but my case is that he knew that those outrages were necessary as part of the system. In the early part of 1882 there were negotiations between Captain O'Shea and Mr. Parnell. Mr. Parnell was in Kilmainham, and he and the other persons there had a large amount of freedom with regard to communication with the outside world. They associated together and they had also certain other privileges which persons in confinement do not ordinarily have. They were, of course, not convicted prisoners in any way, and it was natural they should have such indulgence. In the early part of April Mr. Parnell was released on parole and went to Paris, in consequence of the death of a nephew. He did undoubtedly

on the occasion of his journey either to or from Paris, see Captain O'Shea. Subsequently to that Captain O'Shea went to Kilmainham for the purpose of having a special interview with Mr. Parnell. I think I can actually prove the exact date. Mr. Parnell returned to Kilmainham in April, and the day on which Captain O'Shea went there was April 27, and he saw Mr. Parnell on the next day. Subsequently, on the night of May 6 or morning of May 7, which was the day after the Phoenix Park murders, there were further interviews between Captain O'Shea and Mr. Parnell. With the ordinary political aspect of this discussion I have nothing to do; I have nothing to do with the question of whether Mr. Parnell was right or wrong in the bargain into which he entered; but it has a direct bearing in regard to his position towards the American section and his knowledge of what had been going on in Ireland. The general outline of the discussion had reference to the position to be taken up by Mr. Parnell in regard to the land question in Ireland, and while Mr. Parnell did not wish that the question of his personal release should be prominently brought forward, the fact was that that release and the release of others was the basis of the proceedings. The question arose as to whether or not Mr. Parnell would be able to control those who were with him in Kilmainham at the time and those who were not with him, but with whom he was connected. The question arose as to whether or not a particular line of policy, which would cause the land question to assume a different aspect, which would be accepted by Mr. Parnell, would be accepted by those with whom he was associated, and particularly those on the other side of the water—in America; and the main anxiety on the part of those who were negotiating with Mr. Parnell was to put an end to those outrages, and the question directly arose between Mr. Parnell and Captain O'Shea as to whether or not Mr. Parnell would, and could, assist in the putting down of outrages. Before I tell your Lordships what Mr. Parnell said, as I am instructed, I ask your Lordships to bear in mind what effect this evidence has upon what I have already said—that from 1880 up to the time of his being put in prison—a period of 20 months—Mr. Parnell did not move hand or foot to stop the outrages; neither in writing nor by speech had he done one single act or taken one single step which

would have tended to put them down. I think it will turn out that there can be no mistake of recollection in this matter, for it is in writing, and I think it will appear from what is in writing that the offer of Mr. Parnell, in the event of an arrangement being made of which he could approve, was that he would assist to his utmost to put down outrage. All I can say is this—it seems to me that if as a public man Mr. Parnell could, by adopting that course, do anything to arrest those outrages, it should have been done long before. The offer exists, and the sole use I make of this is to show what was in the mind of Mr. Parnell. The question arose as to whether he could control his comrades, and thereupon Mr. Parnell said certain of his comrades must not be released, at any rate at present, and he stated that among others Thomas Brennan, who had been the secretary of the League and intimately connected with the Land League doings, must be kept out of Ireland or be kept in prison. I shall ask your Lordships to draw the conclusion, if that be true, as to the knowledge in Mr. Parnell's breast with regard to what Thomas Brennan had been connected with, prior to his being imprisoned in Kilmainham. A question then arose as to Michael Davitt. Davitt was in Portland. There had been no communication, so far as I know, between Mr. Davitt and Mr. Parnell, between Portland and Kilmainham. It was believed that Michael Davitt would be strongly opposed to the withdrawal of the "no-rent" manifesto. He had been no party to it, but it was believed that there might be a difficulty in getting his assent to some part of the policy which Mr. Parnell was prepared to advocate. The question arose as to how Michael Davitt was to be dealt with. Mr. Parnell then stated he considered it essential that Davitt should be let out, and probably, from what one now sees and looking to Davitt's influence, Mr. Parnell was right. He did ask that Davitt's release should be postponed until Mr. Dillon and Mr. Parnell had had an opportunity of seeing him; and, as I shall tell your Lordships presently, that course was adopted, for Michael Davitt was not released from Portland until May 6, the day of the Phoenix Park murders. The question arose as to how they were to stop those outrages. The burning question which was recognized at that time by the Government of the day as that of the greatest importance, so far as the statement I am

putting before your Lordships is concerned, was how to put an end to this horrible system of outrage, and Mr. Parnell stated distinctly that he had every confidence—a confidence shared by those who were acting with him—that the exertions they would be able to make would be sufficient to enable them to stop those outrages. If it be true that Mr. Parnell had no knowledge of these outrages, what was the good of any such suggestions or any such course being proposed? My Lords, the matter does not stop there. The question then arose as to who and what would be the best persons and means for putting an end to the outrages, whereupon Mr. Parnell said that Sheridan must be allowed to come back. Sheridan was at that time out of Ireland, owing to some proceedings—a warrant or something of that kind (it will be proved what it was) had been taken out against him and he could not return. Mr. Parnell said Sheridan must be allowed to return; he also said that Boyton—mentioning his influence and the sphere of his influence, Leinster—must be allowed to be at large, and would be useful for the purpose of putting down those outrages, and he stated the districts in which Sheridan's and Boyton's influence would be useful, and he also referred to Egan. The question then arose in most anxious conversation between Mr. Parnell and Captain O'Shea as to whether or not Mr. Parnell was satisfied that he would be able to control those men who had been so much mixed up in outrages; and Mr. Parnell said that if he got the "first run" of Egan, Sheridan, and Boyton, he had no doubt that he would be able to control them. In other words, that his influence over them was such that they would be willing to abandon the policy they had been previously pursuing and to adopt a policy in accordance with the views of Mr. Parnell at that time. Of course, I am only indicating the evidence which, according to my instructions, I shall be able to lay before your Lordships. If it be true, there is an end of any suggestion that Mr. Parnell was not cognizant of what Sheridan, Boyton, and Egan were doing. I am dealing with 1882, when it was the interest of Mr. Parnell to make such an arrangement as would enable him to be in accord with the Government of the day. Of course, if he made this arrangement he would be able to leave Kilmainham, and, although he repeated more than once he was very anxious that his personal release should not be

prominently put forward, it was one of the matters with regard to which he was very naturally anxious. The fact that outrages had been carried on as a matter of system formed the subject of most anxious discussion, and all I can say in parting from this part of the case is that the importance of the matter cannot be exaggerated. If the documents which will be produced are genuine—and I do not at present understand why they should be alleged to be other than genuine if the account of Captain O'Shea is accurate—there cannot be the slightest doubt in your Lordships' minds that Mr. Parnell was fully acquainted with the circumstances under which Sheridan, Egan, and Boyton had been working. A very important matter in that connexion was the statement made that some members should not be released—that some persons in Kilmainham ought to be still kept in confinement, and among those Brennan, the secretary of the Land League. In accordance with the arrangement, Mr. Parnell was released from Kilmainham together with Mr. Dillon and others. I mentioned that Mr. Parnell had stipulated that he should see Davitt, and he and Mr. Dillon went down to Portland and had an interview of one or two hours with Mr. Davitt on the day of his release. I am not able to say what passed, but so far as we can judge from the public utterances of Mr. Davitt afterwards, he was very much opposed indeed to the policy which Mr. Parnell had at that time initiated, very much opposed to anything which would be a step in the direction of conciliation between the English Government and the Irish party. Davitt never made any secret of his principles; from beginning to end they have been absolutely opposed to any recognition of landlords or English government in regard to Ireland. At that time there undoubtedly was, if his public utterances are to be relied upon, some hesitation on Davitt's part in accepting the view put forward by Mr. Parnell. A difficulty arose with regard to the withdrawal of the prohibition of the presence of Sheridan in Ireland, and at the request of Mr. Parnell, Captain O'Shea went to Sir W. Harcourt with reference to Sheridan's arrest. I am, of course, not in a position to state what passed between Captain O'Shea and Sir W. Harcourt, but Captain O'Shea came back to Mr. Parnell and told him of the difficulties, whereupon Mr. Parnell told him at once that if Sheridan was

not allowed to come back very great difficulties indeed would arise, and he was afraid he would not be able to communicate with Sheridan, and I think he went off, and on coming back said he had seen Mr. O'Kelly or some other gentleman who could communicate with him. Practically speaking, I have sufficiently put before you the outline of what I am prepared to prove with reference to Mr. Parnell's part in connexion with what has been called the "Kilmainham Treaty." Its importance, from our point of view, is simply this—that it shows the knowledge which Mr. Parnell had as to what had been the work of the organization before; and, further, it shows a promise on the part of Mr. Parnell to do his utmost to put down outrage. If Mr. Parnell was in a position to put down outrage I cannot help repeating the question—Why was it he had not done his utmost to put down outrage before? And if it be alleged by his counsel or by Mr. Parnell that he did his utmost to put down outrage before, respectfully I ask, and I shall ask Mr. Parnell in the box, what steps he did take to put down outrages prior to May 6, 1882? On that day occurred the terrible tragedy in Phoenix Park. It is no part of my case to suggest, nor do I propose to give any evidence to suggest, that prior to the Phoenix Park murders Mr. Parnell had any knowledge of any such murder being contemplated. It will be part of my case that he sent a letter respecting the Phoenix Park murders, and it will be my object to show that the necessities of the position of Mr. Parnell at that time undoubtedly placed him in a difficulty, and made it not only probable, but almost necessary, that some such step should be taken as the making of a statement or writing some such letter as was written respecting the murders. He was engaged in the promotion of a system of which outrage was of necessity the outcome. In the particular position in which he was then placed such an occurrence was about the worst thing that could possibly happen from his point of view. It so aroused public excitement that the carrying out of the previously arranged plan became almost an impossibility. The occurrence of that horrible tragedy on May 6 put Mr. Parnell in the greatest difficulty. On the night of the 6th or morning of the 7th Captain O'Shea again saw Mr. Parnell, and the

events that had occurred rendered that discussion of a character not likely to be forgotten. There are also circumstances in connexion with it and what was actually occurring which will enable your Lordships to determine on which side truth rests, if there be, as I do not anticipate there is to be, any serious difference of testimony in regard to that matter. On the day after the murder the manifesto signed by Mr. Parnell, Mr. Davitt, and Mr. Dillon was issued :—

“ To the People of Ireland.—On the eve of what seemed a bright future for our country, that evil destiny which has apparently pursued us for centuries has struck another blow at our hopes, which cannot be exaggerated in its disastrous consequences. In this hour of sorrowful gloom we venture to give an expression of our profoundest sympathy with the people of Ireland in the calamity that has befallen our cause through a horrible deed, and to those who had determined at the last hour that a policy of conciliation should supplant that of terrorism and national distrust.” My Lords, the “ policy of conciliation ” supplanting “ that of terrorism and national distrust ” undoubtedly referred to the policy which Mr. Parnell hoped to carry out by means of the arrangements he had been making.

“ We earnestly hope that the attitude and action of the whole Irish people will show the world that assassination such as has startled us almost to the abandonment of hope for our country's future is deeply and religiously abhorrent to their every feeling and instinct. We appeal to you to show by every manner of expression that almost universal feeling of horror which this assassination has excited. No people feels so intense a detestation of its atrocity, or so deep a sympathy for those whose hearts must be seared by it, as the nation upon whose prospects and reviving hopes it may entail consequences more ruinous than have fallen to the lot of unhappy Ireland during the present generation. We feel that no act has ever been perpetrated in our country during the exciting struggles for social and political rights of the past 50 years that has so stained the name of hospitable Ireland as this cowardly and unprovoked assassination of a friendly stranger, and that until the murderers of Lord

Frederick Cavendish and Mr. Burke are brought to justice that stain will sully our country's name.

"CHARLES S. PARNELL.

"JOHN DILLON.

"MICHAEL DAVITT."

My Lords, it will be proved by Captain O'Shea that Mr. Parnell objected to sign that document, and only signed it under the necessities of the case and objecting to its terms. For reasons that will very clearly appear, it undoubtedly put him in very great peril. It will appear before your Lordships in the course of this case that the relations between Mr. Parnell and the extreme party in America were very intimate, and that there had been from the year 1879-80 down to 1882 the working with a common purpose—namely, the separation of Ireland from England as the only means of binding together the extreme section with the more moderate section; and as I stated on the first day, and as I shall, I trust, be able to prove before your Lordships by public utterances, it was that arrangement, and that only, that secured for the Irish Land League the support of the American money, which could not be got except from persons who subscribed with a view to rooting out landlords and the complete separation of Ireland from England; and the terms on which that support was given practically involved the consideration that the objects of the associates should be the same. Mr. Parnell, therefore, could not sign that statement, nor could he make the statement which he did afterwards make in Parliament, without very great personal danger. There is not the slightest doubt, and it will be proved by Captain O'Shea, that Mr. Parnell was himself in personal peril, that he applied for police protection, and was exceedingly anxious with regard to his personal safety. That there were circumstances which might lead Mr. Parnell to consider himself in danger I think I shall be able to satisfy your Lordships when you know what were the relations existing at this time between the various sections of the organization to which I have referred. Subsequently to the issue of the manifesto and the occurrence of the Phoenix Park assassinations some question arose as to what steps should be taken to discover the murderers. Whereupon Egan, the Land League treasurer, threatened to resign if any of the Land League funds should be voted for a

reward for the discovery of the murderers. That, upon my instructions, will be placed beyond all doubt by a telegram sent by Egan himself, and I submit that if this incident be true it shows how severe was the pressure put upon Mr. Parnell by the course of events. Here was Mr. Parnell professing in England that the stain would never be removed from Ireland until the murderers should have been discovered, while Egan, the treasurer of the League, is threatening to resign if any money is set apart out of the funds of the League for the purpose of rewarding those who should discover the assassins. It will appear in the course of this inquiry that certain persons by no means always spoke of this horrible tragedy as a murder, that it has been regarded as one of the victories of the extreme party, and that the men who have so regarded it have from time to time been in very close connexion with the representatives of Mr. Parnell. Of course, no man is responsible for all the views that may be held by every person with whom he comes in contact. At the same time, if it be correct that the views to which I have referred have been held by Egan and the party with whom he is now associated, it will show your Lordships the extreme probability, I might say the necessity, of the position then taken up by Egan that he would not consent that a contribution should be made out of the funds of the League to a reward for the detection of the murderers. On May 8 Mr. Parnell made a speech in Parliament denouncing the murders, and there is no doubt, if the letter of May 15 was signed by Mr. Parnell, that it was written in reply to remonstrances as to the course which he had taken, coming from members of the extreme party. Let me pause to consider the difficulty of Mr. Parnell's position and the necessity of some such action on his part as the writing of that letter. The case which I have to present to your Lordships is that the extreme party did not regard the murders in the Phoenix Park as being acts of wickedness or acts of which they should express disapproval. On subsequent dates in America there have actually been celebrations of the anniversary of the tragedy. The party in America not only did not disapprove it, but approved it. In addition to other circumstances it led to the institution of the "Martyrs' Fund," which was a fund for subsidizing the families of men who had died upon the scaffold. I may mention that no prisoner

who had pleaded guilty and no person who had given evidence could participate in the fund. All these things being taken into consideration, it is impossible to exaggerate the difficulties in which Mr. Parnell was placed. His organization had been receiving thousands and thousands—nay, tens of thousands—of pounds from America, with the clear and distinct understanding that the object for which the joint organization was to work was total separation, and that the object was to be attained by any convenient means. I have no doubt that Mr. Parnell may have deeply regretted the connexion that did exist between the organization in Ireland and the organization in America, but there it was, and he had to act accordingly. Your Lordships are aware that it is said that on May 15 Mr. Parnell wrote the letter which I will shortly read. When I have read it I shall say one or two words upon a subject to which I referred last night—namely, the question of its being genuine or not. The letter runs:—

“ 15-5-82.

“ Dear Sir,—I am not surprised at your friend's anger, but he and you should know that to denounce the murders was the only course open to us. To do that promptly was plainly our best policy. But you can tell him and all others concerned that, though I regret the accident of Lord F. Cavendish's death, I cannot refuse to admit that Burke got no more than his deserts. You are at liberty to show him this and others whom you can trust also, but let not my address be known. He can write to House of Commons. Yours very truly,

“ CHAS. S. PARNELL.”

Your Lordships will note that the words “ the only course ” were originally written instead of the words “ our best policy.” The words are erased. I would rather not indicate at present the argument that I shall base upon that, but it is right that I should draw attention to it.

The PRESIDENT.—Have you any photographs of this document ?

The ATTORNEY-GENERAL.—My learned friend at the preliminary sitting suggested that the method according to which facsimile copies had been taken would not be likely to suit his purpose. The originals have since

been inspected by Mr. Parnell, Mr. Campbell, and possibly by others.

SIR C. RUSSELL.—We are anxious to have photographs.

The PRESIDENT.—I stated that if printing in facsimile should not be thought sufficient, photographs would have to be taken.

SIR C. RUSSELL.—We have written several times asking that photographs should be taken. We do not think the other method sufficient.

The ATTORNEY-GENERAL.—Your Lordships will see the original.

The PRESIDENT.—I can then form an opinion as to the necessity of having it photographed.

SIR C. RUSSELL.—I have not seen the original, and cannot form an opinion.

The ATTORNEY-GENERAL.—You will not be allowed to form and express an opinion, Sir Charles.

SIR C. RUSSELL.—Surely I can form an opinion for myself.

The original document having been shown to the President,

The ATTORNEY-GENERAL continued :—Our allegation is that the body of the letter is in the handwriting of Mr. Campbell, who undoubtedly did write many letters for Mr. Parnell. I shall submit many specimens of Campbell's handwriting, and draw your attention to its peculiarities. Your Lordships will not expect me to deal at present with those peculiarities, but I do think it right to state now one matter in connexion with the statements of Mr. Parnell with respect to this letter. It will be proved before you that the first statement which he made, when he had seen the facsimile, was that the signature was not at all like his, and that he had never used such a signature. He said that the initial letter was formed in a way which he had never adopted, and there were a number of other minute criticisms relating to the presence or absence of particular strokes and terminations. The letter was published on April 18, 1887. Your Lordships will find some of Mr. Parnell's observations respecting it printed on page 230 of the Blue-book. *The Times* immediately replied, calling attention to the fact that they possessed undoubtedly contemporaneous signatures of Mr. Parnell's in which would be found the particular

features to which he had called attention in his criticisms. But there is another matter of even greater importance. It will be proved that after the production of the letter during the trial of "O'Donnell v. Walter" Mr. Parnell again made a statement. He said, having seen the facsimile again, that it was a facsimile of a signature which he used to write up to the end of the year 1879 and which he then purposely ceased to use. I shall have to call attention to the difference between these statements. They seem to me to afford some ground for criticism whenever the question whether the signature is genuine or forged may come to be considered. If Mr. Parnell's second explanation should be repeated before your Lordships, I shall produce undoubtedly genuine signatures written long after the date when this particular form of signature is said by him to have been abandoned for a definite reason; and it will be found that they contain the characteristic features which are found in the original form. I can understand the almost paramount necessity that Mr. Parnell should write such a letter, having regard to the position in which he was placed. There was a large section of malcontents who did regard the removal of any Irish official as being merely an act of warfare. A number of persons urged that any Englishman who went to Ireland to take office was a person who must be removed by the means which had been employed against Lord F. Cavendish and Mr. Burke. There are two other letters to which I think I ought here to call attention. I do not know whether your Lordships will care to see them.

THE PRESIDENT.—Are they to be photographed?

SIR C. RUSSELL.—We desire that photographs should be taken of them.

THE PRESIDENT.—Then undoubtedly you may have them. I gave that direction before.

THE ATTORNEY-GENERAL.—Two other letters were written on June 16, 1882. Both are alleged by my learned friend's client to be forgeries. I will read them:—

"Dear Sir—I am sure you will feel that I could not appear in Parliament in the face of this thing unless I condemned it. Our position there is always difficult to maintain. It would be untenable but, for

the course we took. That is the truth. I can say no more.

"Yours very truly,

"CHAS S. PARNELL."

"Dear Sir,—I shall always be anxious to have the good will of your friends, but why do they impugn my motives? I could not consent to the conditions they would impose, but I accept the entire responsibility for what we have done.

"Yours very truly,

"CHAS. S. PARNELL."

We say that the bodies of these letters are in the handwriting of Campbell. No one can maintain that the letters are unreasonable or unnatural. Remonstrances by an extreme section, saying, "We require you to do" such or such a thing would naturally be met by some such replies. I will ask your Lordships to look at the signatures. My only comment upon them at present will be this, that if they are forgeries it is about the clumsiest thing that was ever done, and the forger must have been about as foolish a man as can be imagined. Your Lordships will probably have some information as to the condition of Mr. Parnell's health at this time and evidence relating to the features of the handwriting as affected by his state of health. But I shall submit that it by no means detracts from the probability that the signatures are genuine that there are in them certain characteristics which differ from those in the preceding signatures. If these letters had been the work of a skilful forger many things would be found in them which are absent and certain things which are present would be absent. I wish to bring home to your mind that in the very difficult position in which Mr. Parnell was placed it was essential that some such letters should be written. He was of course responsible for the difficulties of that position, assuming that they were to a great extent of his own creation. What we must do is to consider what light that responsibility throws upon the probabilities of the case. I said a word or two yesterday as to my hope and expectation that the whole history of these letters would be disclosed before your Lordships. As far as we can undertake this shall be done, and the names of the persons from whom the letters were obtained shall be placed before you, assuming that it is possible for us to undertake to place them before you.

THE PRESIDENT.—What is the meaning of that limitation?

THE ATTORNEY-GENERAL.—My next sentence would have contained the necessary explanation. At the time when the letters were obtained certain pledges were given with regard to non-disclosure by the persons to whom the documents were committed. It may have been for good reasons or for bad reasons, but the pledges were given. Serious personal danger was apprehended, and that danger is not yet believed to have ceased to exist. But my clients are in hopes that the pledges given will be cancelled, and that they will have a perfectly free hand with reference to the persons from whom the letters were obtained. As far as they can they will endeavour to make it certain that your Lordships shall have full information as to the custody from which these letters came, and as to the circumstances of their preservation. More I cannot say, but I felt it my duty to say this because at the time of the trial of "O'Donnell v. Walter" none of the pledges which had been given had been cancelled. *The Times* had given such pledges that, cost what it might, they could not go back upon them. But now my clients have been partly released from these pledges, and possibly before the end of these proceedings they will be released still further. I have never detracted from the importance of this part of the case. I have never suggested that it was not a matter to be inquired into, because, if genuine, these letters are a clear proof of knowledge; but, as I have said many times in the course of the last two days, it affects Mr. Parnell alone. It does not affect Mr. Biggar, or Harris, or any of the others whose names have been given, and it does not in any way relieve Mr. Parnell from the responsibility which rests upon him of disproving the connexion which we allege existed between him and the organization which I have described. Your Lordships will understand with what object a short time ago my learned friend made the observation that my address was a mere *réchauffé*. I need not tell your Lordships that such a suggestion will not deter me from putting before you any part of the evidence which I think necessary to establish my case. But this I do say; whether the charge has ever been made before or not, it has never been investigated before a legal tribunal, and it is on account of the gravity of the charge that

Parliament has thought it necessary that it should be investigated. It may be easy to sneer at a charge and to call it a *réchauffé*, but the question is whether it is true or not, and I think that if I succeed in establishing the connexion of a number of these persons with outrages, your Lordships will not look upon the charge as less grave because the counsel for the other parties to the proceedings call it a *réchauffé*. I am going to argue presently that Mr. Parnell and his associates, after having been distinctly charged with the consequences of the acts to which I have alluded, continued for months and years the same conduct, leading to the same fearful and awful consequences. By the courtesy of my learned friends, Sir C. Russell and Mr. Asquith, I desire to correct a mistake I made yesterday. I stated in the proceedings of "O'Donnell v. Walter" I had not been instructed to say Mr. Campbell was in Paris at the time the second letter was written by Egan to Carey, and that only came to my knowledge afterwards. I find, my Lords, I was in error. At page 96 of the Blue-book I find I did state that Mr. Campbell was in Paris. But what I ought to have said was that the admission that Mr. Campbell was in Paris had been made after the trial, for it was after the trial that Mr. Parnell, in a public statement which he made when he thought that we had alleged that the body of the January letter had been written by Mr. Campbell, said that could not be the case, because at the end of January, 1881, Mr. Campbell was in Paris; and I had confused in my mind the fact that Mr. Parnell had admitted that Mr. Campbell was in Paris and that he was in Paris.

The PRESIDENT.—What is the correction?

The ATTORNEY-GENERAL.—I yesterday stated, my Lords, in referring to the second letter written by Egan to Carey, that the body was in Campbell's handwriting, and that in opening "O'Donnell v. Walter" I was not instructed that Campbell was in Paris at that time. I had been instructed that Campbell was there at that time, but no admission had been made. One of the matters I now wish to refer to is the position of a paper called *United Ireland*. I do not know whether it is going to be suggested that Mr. Parnell, or the great majority of the gentlemen whose names are included, are not responsible for the utterances of *United Ireland*. But I prefer to make my statement complete with

respect to that. I told your Lordships that *United Ireland* was started in the month of July, 1881. It was started, practically speaking, by the purchasing up and amalgamation of three papers—the *Shamrock*, the *Irishman*, and the *Flag of Ireland*; and it was started by Mr. William O'Brien, one of those charged, and he edited it, and I think it will turn out that he edited it from Kilmainham. It was published in Paris; but I think it will turn out that a great deal of the matter published was actually written by him at the time he was in Kilmainham. This is a matter in which we say that the knowledge, complicity, and connivance of these gentlemen deserves careful consideration. On the 30th of July, 1881, Mr. William O'Brien published a letter of his own and a letter from Mr. Parnell. This was the letter from Mr. Parnell:—

“House of Commons, London, July 30, '81.

“Dear Sir,—I have become aware that a company has been formed for the purpose, among other objects, of starting a penny weekly national newspaper, which will aim at representing in a thorough and determined manner the spirit of agrarian, industrial, and national self-reliance which is now abroad in Ireland.” A very nice name to give the condition of things in Ireland; I think Mr. Parnell is to be complimented on the choice of his phraseology. “The paper will be called *United Ireland*, and its management has been undertaken by Mr. William O'Brien, whose character as an Irish journalist, and whose experience as Special Land Commissioner for the *Freeman's Journal*, peculiarly recommend the new journal to the favour of the Irish National Land League, and of all our countrymen who look to the development of native industry and the consolidation of the Irish nation. I have no hesitation in saying that, individually, I regard the publication of *United Ireland* as an important gain to our cause, and without prejudice to any other national journal, I should be glad to see our friends through the country exerting themselves to place the new undertaking fairly before the public.

“I am, dear Sir, yours truly,

CHAS. S. PARNELL.

“To the Hon. Secty., Branch, I.N.L.L.”

Your Lordships will have a great deal of evidence before you as to some of the paragraphs published and of the matters that were written in *United Ireland*. The

letter from Mr. O'Brien, my Lords, was in these terms :—

“ Office of *United Ireland*, 33, Lower Abbey-street, Dublin, August 2nd, 1881.

“ Dear Sir,—Mr. Parnell's letter, which you will receive herewith, explains the grounds upon which he asks your assistance, and the assistance of your branch, in securing a good start for the new national penny weekly newspaper, *United Ireland*, the first number of which will appear on Saturday, 13th of August next. You can render material assistance towards its success :—

“ 1. By appointing a reliable agent in any district where the *Irishman* has not at present an agent, and seeing that the posters, which will be sent to you by Friday's post, are placarded extensively through your district.

“ 2. By forwarding to the office of *United Ireland*, weekly, a succinct report of the proceedings of your branch. I enclose specimen of the sort of thing required.

“ 3. (As to branches in cities and towns.) We intend to publish in our advertising columns weekly, under the head of 'The Trade Directory of the People,' a list of traders in all the cities and country towns of Ireland who seek the patronage of the people. The names will be attractively set forth (as in enclosed specimen) under the head of the county and town they belong to, or, at the option of advertisers, in the general list. Traders will thus be sure of having their names constantly under the eyes of the people to whom they must look for business. In order that 'The Trade Directory of the People' may become so full as to include the name of every trader desirous of popular support, and so form a link in the chain of popular organization, we propose to insert such names and addresses as are now forwarded by the secretaries of the local branches at extremely moderate prices for long periods ; but, as our advertising space will be limited, we must reserve the power of charging higher rates for names subsequently received. I enclose slip explaining our rate of charges. May I beg you will be good enough to collect as many advertisements of this class as your branch may be able to furnish, and forward them to the office of *United Ireland*, 33, Lower Abbey-street, Dublin, at your

very earliest convenience, so as to be in time for publication in the first number?

"Your obedient servant,

"WILLIAM O'BRIEN."

My object in quoting that letter is to show that Mr. William O'Brien and Mr. Parnell were intimately connected with *United Ireland*, and that it will be found to be connected with the Land League. I ought to have stated that it was owned largely by Mr. Parnell. I have a statement as to the number of the shareholders in it. I think nearly all the capital was owned by Egan, Mr. Parnell, and some small share by Mr. William O'Brien. I think it will appear that they owned that as trustees also, that it was Land League money that was running *United Ireland*. But what I mention this for is mainly to show how *United Ireland* and the writers in it, for which and for whom Mr. O'Brien was responsible, treated the conduct to which I have been referring.

At this point the Court adjourned for luncheon. On its reassembling,

The ATTORNEY-GENERAL continued,—My Lords, when your Lordships adjourned, I had spoken of the position of *United Ireland* in connexion with the Irish party. I now wish to summarize what I shall be able to prove from the columns of *United Ireland* itself. In the first place, from beginning to end, the action that was going on under the Land League was called "The Campaign," the outrages were called "Incidents of the Campaign," and a very large portion of space was devoted to reports of what was happening at the local League meetings, and to incidents in connexion with evictions, without one single word of other comment against them. An endeavour to tar and half drown a bailiff was called "Bathing a bailiff." An account of moonlighting and persons approaching a place and being shot at was called "An escape," and week by week the details of the outrages were put down, stating what had happened, and as far as I know, my Lords, neither by any expression of opinion in the paper, by any reference to any of those outrages in any articles, was there the slightest syllable which would lead people to suppose that the publishers, the writers, and the proprietors of *United Ireland* disapproved of them, and side by

side with them speeches were reported which were practically inciting to the same conduct. I am not going to read any of these, but it happened that on the 8th of October, 1881, in *United Ireland* there is a long report of the campaign:—

“Running for his Life.—A bailiff who some days ago arrived at Cranavone, Cahier, to serve writs on Lord Waterford's property, had to run for his life.”

“Insisting on a Right.—On Sunday night, when the Athy band returned from the Castle Dermott meeting, they proceeded through the town followed by thousands cheering and groaning for the police. The band refused to cease playing when the police attempted to take away the staff and drums. The crowd surrounded them, and the police were struck and severely kicked. The band continued to play through the principal streets, followed by thousands shouting and groaning the police.”

“The Holy War.—Mr. Patrick Egan, treasurer of the Irish Land League, telegraphed to Father Sheehy congratulating him on his release, and hoping he may long be spared to help on the holy war against Saxon rule.” That was Eugene Sheehy, who had made some of the most violent speeches.

“A Land-grabber Confounded.—A man named Dempsey, who had taken a derelict farm near Clara, had employed men to save his hay. Several hundreds of people collected and scattered the party in all directions.”

“Captain Moonlight.—In the town of Scariff notices signed Captain Moonlight, containing threats against any person that would dare speak to the police or supply them with necessaries, had been posted.”

I have only picked some half-dozen out of 20 or 30 notices of the kind, and that is in one number. There happens to be a speech of Mr. Parnell's in the same number of *United Ireland*, the 8th of October, 1881:—

“Mr. Parnell in Mallow.—Mr. Parnell, addressing the people from the balcony in front of the hotel, said:—People of Mallow,—I came here to-night for the purpose of investigating the case of an evicted tenant very close to Mallow, in order to obtain for that tenant the opportunity of availing himself of the benefits of the Land Act, if perchance we should find after

investigation that there were any benefits in the Land Act. (Cheers, and a Voice, 'Down with Johnson'; groans.) I find as a result of my investigation that one of the worst, one of the most repulsive, cases of land-grabbing exists almost in your very midst, almost within a stone's-throw of this town of Mallow. (Cries of 'Shame.') Nay, more; the Land League of Mallow has actually had the unblushing audacity to apply to us, and to obtain from us, a grant for this evicted tenant—a grant paid out of the hard earnings of your banished countrymen in America. They have actually had the audacity to do this while with the same breath they have sanctioned and they have condoned the eviction. (Groans.) Gentlemen, I don't refer to this to excite any feelings of animosity in your hearts against any individual, but more for the purpose of showing you how necessary it is that we should perfect our organization; that we should give the greatest attention to details in the investigation of the cases which occur in each locality, and I am thankful, led my steps to Mallow; but I have no doubt that what has happened close by you has happened in many other parts of Ireland. I can only say that nothing shall be wanting on my part to establish, perfect, and maintain such a system of organization as will prevent the occurrence of such offences in the future. The Mallow branch of the Land League exists to-day, but it will not exist after to-day. We will cut off that rotten branch to-morrow (cheers), and we shall take early steps to establish a new branch of the Land League in Mallow (cheers, and cries of 'It's wanted'), which will be in keeping with the principles of Michael Davitt in the future. (Cheers.) Those principles are that no tenant shall pay an unjust rent, that no man shall take a farm from which another has been evicted, and that every Irishman shall combine all his energies towards the destruction of Irish landlordism and of English misrule in Ireland. (Loud cheers.) I have referred to the case which I came to investigate; but, gentlemen, I ask you to allow bygones to be bygones. Let the past be buried, and let us all hope that for the future we shall turn over a new leaf, and that we shall endeavour to put ourselves, as I have said, in line with the rest of our country, and keep the banner of the Land League and of Irish nationality to the front (cheers); that we

may show ourselves in this town of Mallow, and in this portion of the county of Cork, as worthy to be Irishmen as the people of Mayo or Galway." I only read this speech for the purpose of showing, my Lords, an instance of what I stated in my opening the day before yesterday—that *United Ireland* was publishing side by side speeches directed against "land-grabbers," as they are called, and referring to the acts of violence as "incidents of the campaign." Further than that, I particularly call attention to this reference to the people of Mayo and Galway, remembering that it was after a terrible series of outrages had taken place in 1880 and 1881. Now, my Lords, I say again that your Lordships will find that from beginning to end in the history of *United Ireland* the record of what was described as a war between the Irish and the English people was practically nothing more or less than a record of those outrages which were being committed without, as far as I know, the slightest effort being made to divert the people's mind from the result of such terrible consequences. I believe I shall be able to satisfy your Lordships that the speeches that I read yesterday are practically all of them reported by *United Ireland* or the *Freeman's Journal*, the latter being a paper with which Mr. William O'Brien was connected before he became the editor of *United Ireland*. I said that we should submit to your Lordships that it was scarcely possible to understand why, if Mr. Egan's business was constitutional and above board, open to no suspicion, the mere arrest of Sheridan should make it necessary for Mr. Egan to leave the country and go to live in Paris. In the autumn of 1881 Ford telegraphed to Egan that it was desirable that he should remain in Paris, and not go to Ireland. But I shall prove to your Lordships that the Land League council met in Paris in the month of February, 1881. Mr. Matthew Harris, Kettle, Brennan, O'Kelly, Healy, Biggar, and, I think, Mr. Parnell—as to that I am not perfectly certain—were all present in Paris, and I shall be able also to show your Lordships that during a very considerable portion of the time many of those persons were attending, according to the records of *United Ireland* and the *Freeman's Journal*, the Land League councils as they met in different places from time to time. Now, certain matters we have discovered from documents we have obtained from the possession of

Mr. Matthew Harris, of which he has had notice under subpoena and which, if he does not produce, I shall be able to prove from copies. And those documents disclose certain matters which, I think, deserve some slight notice from me. It may be said, "It is quite true Mr. Matthew Harris made those speeches, that he made violent observations which may have led to some such results; but he did not do so as a member of the Land League, or as connected with Dillon, Brennan, Mr. Parnell, Egan, or any of the others." Let us just test that. My Lords, I shall be able to prove when Mr. Harris is called that certain documents passed between him and various members of the executive of the Land League which put beyond all question that he was an organizer for the Land League and not a mere private speaker. I will read, first, one of the 22d of May, 1880, from T. Brennan.

"Irish National Land League Offices 62 Middle Abbey St. Dublin May 22nd 1880.

"Dear Mr. Harris, When Mr. Davitt was leaving for America he requested me to open whatever letters would come for him and through that means I read your last letter to him. I am sorry to see that your pecuniary affairs are in such a bad state and it strikes me we might be able to do something for you here. I represented the matter to Mr. Parnell and he is anxious that we should make you a grant out of the funds of the League that would in some way compensate for all you have lost by the land agitation. Of course no one outside the place here would know anything about it. I will have the matter carried through some day next week. You will require Organizers Order properly to carry on the business of the League John Walsh is doing Connaught." [John Walsh was one of the men who made the most violent speeches.] "What would you think of assisting him—think the matter over and let me know your opinion on it.

"Yours truly

"T. BRENNAN.

"There will be a meeting in Creggs on 27. Could you attend. T. B."

That, my Lords, is early in the days of the League. Then there was a letter from Matthew Harris to Brennan:—

" Sunday May 23 1880.

" My dear Brennan, I am sorry to find that my private affairs have been through the extra kindness of friends subject of discussion in Dublin. I sent Mr. Egan a list of the meetings I attended and informed him of the nature of my position here—a position incurring a large correspondence and its attendant expenses for postage &c. Now what I want you to do as a friend and a man who should from your large intercourse with the world have some knowledge of what a decent man's feelings should be what I want you to do is to inform the parties who control affairs or who have to deal with these matters that all I require is my actual outlay and that I do not make any claim whatever on the grounds of pecuniary embarrassment losses in trade or business losses of time &c. I kept no memoranda of my outlay but all of you know what travelling is and I would sooner by far that you would be under than over the amount of my expenses.

" Yours very sincerely

" M. HARRIS."

I told your Lordships yesterday that Mr. Harris was a builder at Ballinasloe. Then there is a letter from Matthew Harris to Patrick Egan :—

" P. Egan Esq.

" Dear Sir

" Aug. 20 1880.

" I intended to enquire from you and Mr. Brennan in Dublin whether the disposition of the funds collected for League purposes reach such service as I have rendered.

" I have attended public meetings at my own expense in all the places named in attached slip and that before American money came over and while the movement wanted a helping hand Being recognized as the representative of the League in the Locality my correspondence is something enormous between answering letters about relief branches meetings &c. Along with sacrificing my time I had to provide stamps and stationery yet in no single instance have I left a communication unanswered so anxious was I not to give any excuse to the Members of the League. I do not demand any remuneration for my time nor would I except any. What I do need attention to is my travelling Expenses postages &c. The only money I got from the League was £2 from Mr. Brennan in Roscommon £5 to go down & open a branch of the League in the lower part of Roscommon also £2 to

attend the conference in Dublin I had not time or opportunity to enquire after the monetary arrangements of the League but I take it for granted that no body of men in Society would require me not only to work for nothing but to pay expences incidental to such work.

"I am very sincerely

"M. HARRIS.

"P.S.—The only place where my expences are paid were Balla and Westport I have not included in enclosed List Irishtown Tuam Athenry Galway Tallow Cobalow Ballyhouran Castlereagh Roscommon 3 times Loughrea Newbridge Co Galway & Knockrogharry." I think your Lordships will see that I have not been incorrect in saying that American moneys were placed at the disposal of the Land League. Then there is the following letter :—

"2 North Great Georges St.

"Monday 4th April.

"My dear Mr Harris

"I have received your letter of April 2d I agree with you there the state of Mayo requires serious consideration I fine however that it will take an organiser of great skill and judgment to do any good there & as yet I have no such man at my command that I can spare for work in Mayo unless you think you could undertake it yourself. Do not fix any meetings Cene-mara without consulting me The end of May is the time. I can think of for any western town I shall be in Ulster for some time after Easter.

"I shall send you a Statement of the long case by next post It would be well for you to visit Cong and settle this matter if you can.

"Yours truly

"JOHN DILLON."

Now, my Lords, in the matter of money I desire to put before your Lordships the position Mr. Harris held. It is clear that in the early days he was not regarded as of the same importance. At first he used to receive some small sums, such as £2, but in November, 1880, he got £20 from Brennan and £20 from Egan. On the 7th of January, 1881, he received £10 from Egan, and on the 8th £30 from the same person. There are other smaller entries of money which, I think, Mr. Harris will have to admit. It will be exceedingly difficult for any one to suggest that any speeches made by Mr. Harris, if they had the consequences to which I have referred, were made independently and without any connexion and consultation with the members of the

Land League, by whom he was, in fact, being paid or employed. Later in that year he undoubtedly attended council meetings of the League with Egan and Mr. Parnell, and on the 18th of March, 1881, we find him receiving money (£15) from Brennan. I am not sure at the present time that I can identify the actual amount, but he received certain other sums, and when the documents come to be produced no doubt will be left upon your Lordships' minds that he was a paid organizer of the League. Now, my Lords, I shall in all probability—I think, certainly—be able, with the information at present before me, to lay before your Lordships evidence as to how the outrages were carried out. I am afraid that such was the feeling in Ireland, so easy was it to excite the enmity of some of the poor, half-educated, "semi-savage" men, as they have been described by some of their own advocates—by some of the Parnellite party—that a very little money would go a very long way; but still, at the same time, there is evidence before me that considerable sums of money were paid. How was it done? To a great extent I am in a difficulty, because the books and documents of the League are either not in existence, or, if they are in existence, they have been suppressed. And I do wish to impress upon your Lordships that one of the most important matters you will have to inquire into, and which will need the most careful investigation, is as to what has become of the Land League documents and papers. We know that they were removed from Dublin to London in October, 1881. Only one of those on the other side who have made affidavits refers in any way to these papers—that is, Dr. Kenny, M.P., who admits in his affidavit having had a bank book of the Hibernian Bank, a cash book, and a cheque book belonging to the League, and who said that they had been taken away by one W. F. Maloney, who has the same initials as those which appear upon Campbell's letter. It is remarkable that neither the president, nor the treasurer, nor the secretary of the League have made any statements in their affidavits with regard to the books and papers of the League. If at some time or other your Lordships are in a position to probe this matter to the bottom, it will, on my instructions, lead to some very remarkable disclosures. It was most important that I should have had the books of the League before me, in order to show how

the money was provided for the outrages. I think that it will be shown that the agent of the Land League used to get the money from the treasurer, Mr. Biggar, Mr. Brennan, or Mr. Egan; that the agent would take down the £20 or £30 into the district and would distribute it locally to the men who had to carry out the outrages. I do not suggest that Mr. Biggar himself paid the individual who was going to commit the outrage, but that the money was required for the Land League purposes, and from time to time it was received by persons whose duty it was to distribute it locally. This matter of money is no small or unimportant one in connexion with the case as between the American section and the Irish section. The *Freeman's Journal*, in which the receipts were acknowledged, shows that between October, 1879, and October, 1881, sums amounting to £144,890 were received by the Land League. Of that sum all that has been accounted for is £44,877, leaving unaccounted for a sum of upwards of £100,000. Did Mr. Parnell have accounts of these moneys and of the way in which they were expended, or did he not? My Lords, if he did not have this account, or if he is unable to give any account of what became of these moneys, then I suggest that the purposes for which they were being used would not bear an account being kept. "Oh, it is an old story," says my learned friend; but that old story is now for the first time being investigated before a judicial tribunal, and it will be extremely important to know what was done with this large sum of money. If this was the constitutional agitation that we are asked to believe it was, why were the books removed to London, why have they disappeared from London, and where are they now? Of course my story may be all a fable, and may be simply a matter founded upon rumour or malicious tale-bearing without foundation. I was able yesterday to lay before your Lordships the transaction with Timothy Horan about the man who was shot in the eye, whose name could not be mentioned, and who was not known to any one but the doctor and the members. If there were many transactions of the kind that they had with Timothy Horan, I can well understand why the books of the Land League have disappeared. I do not say that any one of the members of Parliament implicated in the charges had any idea that the document which

I read to your Lordships was in existence. I think that your Lordships will have extreme difficulty in getting at the amounts that were paid by the Land League for such purposes, but the instances I shall be able to lay before you will show your Lordships that there was a regular business carried on between the branches and the head office of the Land League. I think that I have now noticed all the incidents prior to May, 1882, on which it is necessary for me to comment in opening my case, and I now pass on to what happened after that month. It will, I think, be convenient if I suggest the topics that remain for me to deal with. First, there is the connexion—the remarkable connexion—of Frank Byrne with the English Land League, and the connexion of Frank Byrne with Mr. Parnell, and the circumstances under which he fled from justice, and was assisted in his flight by moneys received from Mr. Parnell. Before this tribunal I must assume nothing and take nothing for granted; but I do not think that it will be suggested that Frank Byrne was not implicated in the Phoenix Park murders, for, according to his public statement, he was undoubtedly closely connected with them. As I have said, nobody can tell to what extent it may be necessary to investigate these matters. It may be that your Lordships will have to exercise your powers to get at the truth to a degree far beyond any statement of facts which I am in a position to prove before you. Therefore, it is that I have at some little length to lay before your Lordships what we know and what we suggest with regard to Frank Byrne, regarding his connexion with some persons named, and with regard to his escaping from justice in the course of the year 1883. Then, my Lords, I have to deal with the National League. The National League is an organization which took the place of the Land League when the latter was suppressed, and I shall call evidence which will place beyond all question the action of that association. To all intents and purposes, the National League was the same as the Land League. Then I shall have to show your Lordships what was the conduct of those who were managing the affairs of the National League. And, in connexion with that, let me remind your Lordships that between 1882 until the end of the year 1885, during which period the Crimes Act was in force, the outrages to which I have referred as having

taken place during 1880 and 1881 diminished to an enormous extent; and that after the Crimes Act had expired, the tyranny of the National League, which took the place of the suppressed Land League, commenced, and the same outrages, of the same character, and carried on by the same persons, again became prevalent; I shall have to read to your Lordships, I hope not as many, but still a considerable number of speeches made by the supporters of the National League. I shall show it was distinctly and in plain terms brought to the notice of Mr. Parnell that the action of the Land League had resulted in certain consequences, and that in face of that notice, in face of that warning, he and his immediate supporters pursued exactly the same line of conduct with practically the same results. I have also to explain to your Lordships the American connexion and the part played by the connexion between the English and American organizations, and, subject to minor matters, I shall have no fresh subject which it will be material at the present time to bring to your notice. The Crimes Act was passed shortly after the Phoenix Park murders. It was opposed by Mr. Parnell and the Irish members, who were, of course, perfectly within their rights in doing so. During this time there was in existence the British Land League, of which Mr. Justin M'Carthy was president, Mr. Biggar vice-president, Frank Byrne general secretary, and Messrs. Redmond and Quinn treasurers. They had their offices in Westminster, and it is in connexion with the existence of that organization and its presence in Westminster that some very remarkable allegations were made, as to which I have to open to your Lordships the evidence it will be in our power to produce. The offices of this organization were in Palace-chambers, Westminster-bridge, and to those offices members of Parliament had access; but I should think it is highly probable that a great many of them knew very little at any rate of what was going on as far as Byrne was concerned. We have alleged, and as to that evidence will be given, that to those offices were taken the knives with which the Phoenix Park murders were committed, or if not the same knives, knives of an identical character and intended for the same purpose. Now, I shall put this matter shortly before your Lordships, asking attention to the allegations made in the course of the trial of "O'Donnell v.

Walter." Your Lordships will find in the article of June 13, on page 254 of the Blue-book, the passage :—

"It was Frank Byrne, the secretary to the English branch of the League, who procured the weapons with which the crime was perpetrated, and his wife was afterwards fêted in New York as the ' brave little woman ' who carried those weapons to Dublin. The offices of the League consisted of a small back room on the entresol floor of Palace-chambers, Bridge-street, Westminster. An adjoining room equally small, with folding doors between, constituted ' the offices of the Irish Parliamentary party.' The folding doors stood open, and the Irish M.P.'s escaped asphyxia by using the two rooms as one. The regular occupants of the office were Frank Byrne himself, D. M'Sweeney, clerk to the League, now dead, and Mr. H. Campbell, Mr. Parnell's private secretary, and now M.P. for Fermanagh. The treasurer to the League, Mr. Thomas Quinn, now M.P. for Kilkenny, was a frequent visitor, and while in London the Irish M.P.'s were in and out at all hours. The M.P.'s of course held their caucus meetings there, as did also the executive committee of the League. In this office the weapons were kept for several days before Byrne removed them to his home in Peckham. The knives lay in a paper parcel on the floor; the Winchester rifle and revolvers, of which so much was heard at the murder trials, lay open to the inspection of the curious. Before the knives reached Palace-chambers they were intrusted to a Fenian shoemaker in Bethnal-green, who boasts of having made leather sheaths for them. This worthy's services to the cause were rewarded by a ' testimonial,' to promote which Mr. Biggar, M.P., took the chair at a meeting convened under the distinguished patronage of the principal London Fenians, a speech by Michael Davitt being the chief attraction of the programme."

Well, my Lords, in so far as it is material for the purpose of showing the character of Byrne, we shall lay evidence before you to show that that statement of facts is, in all its main details, true—that the knives were procured by Frank Byrne or under his orders and directions, and were taken to Palace-chambers, and that the other weapons referred to in the paragraph I have read were there. Nothing was known practically about this matter until the beginning of 1883, but in the early part of 1883, if I remember right, somewhere about the

month of January, a man named Farrell made a statement to Inspector Kavanagh in Ireland. Carey did not make his statement until some time afterwards. The result of the first statement being made, or the result of the knowledge that that statement had been made, was that Mr. Byrne left England and went to France. The excuse made for his departure was that his health was bad, and that he was ordered to Cannes. He dated his letters from there, but, from my instructions, I believe it will appear he never was at Cannes, and that the letters were all written from Paris. But whether it was so or not, the enjoyment of the warm air of Cannes did not seem essential, for after the failure of the extradition proceedings in his case, he left the warm climate for which he at first had an attachment, but to which he then seemed to have an objection, and took a sea voyage to America. The allegation is that Frank Byrne was assisted, if he was not actually enabled, to escape by means of a cheque for £100 received from Mr. Parnell, and I desire to state what I am about to prove in reference to this matter. In that connexion I will refer to a letter which will be put in. I do not know at present whether this letter is alleged to be a forgery. There are many letters which are alleged to be forgeries; in fact, it is something like the *alibi* in an Irish case in which it was said, "If any document appears in this case against anybody, then it is alleged to be a forgery." I have here a letter, dated February 8, 1882—clearly a mistake for 1883, a mistake not unfrequently made early in the year—sent by Frank Byrne, the general secretary of the British Land League, and addressed from the Hotel des Pins, Cannes, France. It runs as follows:—

"To the Executive National League and National League of Great Britain.—Gentlemen, I regret much that since I left home I have not been able to write to you before now, as in addition to my lung complaint I have been suffering from rheumatism in my right hand and arm, which made it impossible for me to write. It is much better now, but still far from being in a state to permit me to write much. I was, as you have no doubt been informed by Mr. M'Sweeney, obliged to leave suddenly by the positive orders of the doctor" (I do not know whether any attempt will be made to prove the positive orders of the doctor or to produce the doctor) "and could not,

in consequence, communicate with you previous to my departure. Mr. M'Sweeney will also have informed you that I received the promised cheque, £100, from Mr. Parnell on the day I left London." (I hope that later on we shall have an opportunity of seeing Mr. Parnell's pass-book, and of investigating the circumstances under which the cheque was given. We shall prove that statement to be a perfectly true statement, and there is no reason for supposing that if the letter is genuine the statement is untrue.) "Immediately I arrived in Paris I proceeded to discharge all the liabilities for which I had authority, and I now enclose balance-sheet, showing income and expenditure from December 30. You will see I have no account of either since January 28, except so far as recording the receipt of £110 on the 23d, and cash sent to Mr. Walsh for fortnight ending January 20, and my own salary up to Saturday next. The cash sent to Mr. Walsh was not authorized by you, as his returns, which I now enclose, have not yet come before you. They are of the usual character, and I hope you will adopt them to-morrow night. I shall to-morrow forward to Mr. Quinn cheque or draft for the amount in hand—£35 17s. 7d." (I would ask your Lordships to make a note of those figures, because they appear in another document), "and Mr. M'Sweeney will no doubt supply you with account of receipt and expenditure since January 28, as it is impossible for me to conduct the business of the organization from such a distance, and as it is likely to be some weeks before I shall be fit to return, I would respectfully request you to relieve me for the present from the responsibility attached thereto, and I would also suggest that, as your income at present is not large, that you would consider whether you are in a position to continue to pay a salary to an official who cannot perform his duties. While making this suggestion, I would also remind you that my position is not an independent one. If not already done, I would advise the official alteration in the name, &c., of the organization, and its announcement to the branches immediately. I shall be happy to hear from you in reply, and information on any point you may require I shall, of course, supply at the earliest moment.—I am, gentlemen, yours faithfully, FRANK BYRNE, General Secretary."

I shall submit to your Lordships that that is undoubtedly

a genuine document, sent by Frank Byrne, and that the statements in it were true. Now, I have asked your Lordships to make a note of those figures—£35 17s. 7d., because they occur in another document to which I shall have to call attention. The letter I have just read was dated February 8, 1882, and Frank Byrne stated in that letter that he was going to write to Mr. Quinn next day. The representatives of *The Times* obtained that letter, believing it to be a genuine letter, as they now believe it to be, and Mr. O'Donnell in his action against *The Times*, among other documents, disclosed a letter from Frank Byrne to Quinn, dated February 10, 1883. The original will, of course, be produced before your Lordships, and you will be able to judge from a comparison of the two letters whether the letter I have just read is genuine or not. Now, as to the letter to Mr. Quinn. It is dated from the Hotel des Pins, Cannes, France, February 10, 1883, and runs as follows:—

“ My dear Quinn,—I dare say you will have heard before now that I had left London for a warmer climate, in accordance with the positive orders of the doctor. I was obliged to leave suddenly, or I should have tried to see you before my departure.” (Mr. Quinn, my Lords, as I have said, was the treasurer of the British Land League, and I should have thought that the suddenness of Byrne's departure would have made it impossible for him to have seen Mr. Quinn.) “ I am glad to say that already I find a considerable improvement. The doctor thinks, however, that as soon as I am sufficiently strong, I should take a long sea voyage, and he recommended America. I do not like the idea ; but if my restoration to health depends upon it, of course I must go. I enclose you a cheque for £35 17s. 7d., the amount of cash in my hands belonging to the executive.” (That is the amount I mentioned to your Lordships which Byrne said he had to return to the executive of the Land League.) “ At the last settling we had you held a sum of £1 6s. 1d., so that you will now have £37 3s. 8d. in hand. If you can spare the time and have the inclination, you might drop me a few lines here. I wish you would attend next executive meeting, and inform them of receipt of this, or else write them. I am, dear Quinn, yours faithfully, FRANK BYRNE.”

Now, my Lords, the proprietors of *The Times* had not the slightest knowledge that that document existed

or was still to be found, beyond the reference to it in the letter of February 8, until the affidavit of documents was made by Mr. O'Donnell in his action against *The Times*. The remarkable coincidence was then noticed that the same sum of money is mentioned in the two letters, and that they are genuine letters, I shall submit to your Lordships, there can be no doubt. Some explanation has been given with reference to the cheque for £100. It was said that that was a mistake, and that Byrne did not get the £100 from Mr. Parnell, but that, having a number of cheques exactly amounting to £100, he took them to Mr. McCarthy, who gave him a cheque for £100 in exchange. Well, my Lords, all I can say is this. It is a very extraordinary thing, that being the transaction, that there should be references to it of the character to which I have referred, and I shall submit to your Lordships' judgment that it is scarcely probable or possible that such a mistake should be made a day or two after a money transaction had taken place. Besides it was stated Frank Byrne had not got a banking account, whereas in this letter he encloses a cheque for £35 17s. 7d. If necessary, I shall prove that that explanation was given. It will be for your Lordships to say whether it is possible to believe any such story, in the face of Byrne's own statement that the £100 had been received from Mr. Parnell. Let us consider what happened. Egan, Sheridan, Byrne, and Brennan, all prominently connected with the Land League, went to America. I shall ask your Lordships what it was that should cause the treasurer of the Land League to escape to America. It was stated by Sir C. Russell that I had said that a warrant was out against Egan with respect to the Phoenix Park murders. I believe I stated that extradition proceedings were taken for the purpose of getting Egan extradited from Paris to England; but, whatever it may have been, such was the effect of the disclosures in Dublin that Egan, the treasurer of the Land League, went to America and has remained there, and Sheridan, Byrne, Boyton, and Brennan also went to America. I shall tell your Lordships, in connexion with that point, what happened when those people were in America afterwards, and what was their public conduct; what was the part they played in connexion with the meetings at which Mr. Parnell, or his representatives sent out

by him, were present ; but, at any rate, it will be a matter to which your Lordships will give your very grave and anxious consideration in connexion with any suggestion that those persons were perfectly innocent. If these persons were perfectly innocent, it occurs to me to ask why it is that there should arise in the breasts of all, about the same time, the sudden desire to leave England, Ireland, or even France, and go to America, where, perhaps, a different view might prevail as to the part taken by those men in certain transactions with regard to which they were accused ? Even after the departure of Byrne, and after circumstances had taken place which must have aroused suspicions in the minds of any persons who had been connected with him that there was something not quite straight with regard to his conduct, you will find resolutions proposed and supported by some of the leading gentlemen whose names are mentioned in those particulars as to Mr. Byrne's conduct having been absolutely straightforward and aboveboard, and to his being in a position to meet any charge brought against him. Mr. Byrne has not himself seemed anxious to meet those charges. As far as the story is concerned, I have now, before I come to the other matters I have mentioned, only to remind your Lordships of what was stated to be the ultimate result in the matter of money. *The Times* published a facsimile page of the *Irish World*. I shall be able to give your Lordships very distinct evidence as to the way in which the *Irish World* was treated by many of those whose names are included in those particulars and many of the members of the Land League. Your Lordships will see that this facsimile page is a statement as to the series of funds collected by the instrumentality of the *Irish World* for certain patriotic objects. There are two or three of them to which I wish to call attention. The Skirmishing Fund, amounting to \$88,306. That fund was at times called the National Fund, and I shall show your Lordships that it was a loan from that fund, for which Mr. Davitt says he is personally responsible, which went to start the Land League. The fund was originally collected for objects in all probability much more violent than even the outrages of which I have given your Lordships the particulars. On the same page your Lordships will find the Rossa Testimonial. Rossa was one of those who advocated the most violent

action towards any person whom he thought an enemy of the policy of which he was the advocate. He advocated the use of dynamite and the use of the knife quite openly. The Spread-the-Light Fund, \$7,600. That was a fund, not infrequently referred to, for the purpose of "spreading the light" in Ireland or among the Irish. It consisted mainly in circulating in Ireland copies of most violent papers, which incited to outrage of all kinds. I could show your Lordships that in connexion with that fund as much as 40,000 copies a week of the *Irish World* were asked for, and that Mr. Parnell expressed his personal thanks to the *Irish World* for the great good that it had done to the Land League in Ireland. Among other papers sent was the *Irish World*, and it was to that paper Mr. Parnell tendered his thanks. The Land League Fund, \$343,072, which is divided into two funds—the No-Rent Fund and the Land League. You will find the acknowledgment of Egan towards the right-hand side of the paper.

"New York, August 1, 1883.

"Received from Patrick Ford the sum of Four Hundred and Twenty-four Dollars and Thirty-\$343,072.92 six Cents., which is the closing balance of the *Irish World* Land League Fund, and which with the amount already acknowledged and remitted make a total received from Mr. Ford of three hundred and forty-three thousand and seventy-two dollars and ninety-two cents (\$343,072.92).

"PATRICK EGAN."

The Martyrs' Testimonial amounts to \$8,000, and I ask your Lordships to note the particulars of that fund. You will find it described at the left of the page as "An Audit of the Martyrs' Fund and the O'Donnell Defence Fund." The persons named as having received money are Jane Mullett, Mrs. Daniel Curley, Mary Kelly, Mary Ann Fagan, Kate Fitzharris, Fanny Rowles, Thomas Brady, and Thomas Hanlon, all of whom were, if I am correctly instructed, members of the families of those who were convicted for the murders in the Phoenix Park, and nobody who had pleaded guilty or had given evidence was allowed to participate in this fund. That will show your Lordships what was the kind of view advocated by the American party, with whom, as I shall show, I think beyond all question, Mr. Parnell and

his party were in the most close and intimate connexion. The other one was the O'Donnell Defence Fund. I believe that that was a fund for the defence of O'Donnell, who shot Carey. The informer Carey went out from England to the Cape in order, I suppose, that he might in some way lead a better life. He changed ship, and on board the same vessel was O'Donnell, who shot Carey in cold blood, and no less a sum than \$55,098, or about £12,000, was subscribed for the purpose of the defence of O'Donnell. The result was that, if I remember rightly, my learned friend Sir Charles Russell had the honour of defending O'Donnell at the Old Bailey. It can scarcely be that that money was subscribed for the purpose of getting a fair trial for O'Donnell at the Old Bailey. The real object was to show that persons would subscribe for any object which might be supposed to enlist the sympathy of the persons subscribing, and to assist the warfare that was being carried on. Now, my Lords, the Martyrs' Fund for the benefit of the relatives of the persons who were connected with this movement was started by Ford, who made the following statement in regard to it in an article in the *Irish World* :—

“ Sharing in that resolve, I started the Martyrs' Fund. I asked of the Irishmen of America, and I received \$8,000 for the families of the eight martyrs, and my sister Miss Ellen Ford, in company with Miss Maria Doherty, of Worcester, Massachusetts—a lady whose zeal and services for the Land League knew no bounds—by an effort of the will summoned to her assistance courage enough to rise out of a sick bed, where she had lain for six weeks, and braved the waves and the equinoctial storms to put that money into those people's hands.

“ That money was not given as alms. It was intended as a testimonial to the memory of men who had, in their own way, struck a blow for the independence of Ireland. Whatever may be thought of the method, the underlying principle at least is a heroic one. May God send Ireland more men with hearts like that of Joe Brady ! ” (That was one of the Phoenix Park murderers, my Lords.)

“ ‘ Assassins ! ’ No ; they were heroes who knew how to die for a cause as well as to kill for a cause. The blow they struck caused the enemy's cheek to turn

white and the enemy's heart to tremble at future possibilities. Never was there such a commotion in that den of robbers—'What next?'

"The next report that rang in the ears of the world was the echo of O'Donnell's shot. The informer was *executed*, and his dishonoured remains were thrown among the negroes and outcasts of Africa!

"But the avenger was in the hands of the foe, and what could his friends do for him? The first thought that came to my mind, the feeling of those about me, was that a rescue ought to be organized. To do that successfully courage, skill, and money were needed. The men were to be had, but the money was wanting. Now, here a perplexity and a difficulty put in an appearance. It was suggested to me that I might appropriate to that venture the Martyrs' Fund, which as yet was incomplete, and deduct the amount from the contemplated O'Donnell Defence Fund. All this, of course, would have to be done in secret. But the venture, if it miscarried, would place me in a false light. O'Donnell might die in Africa. He might get a speedy trial and acquittal there. These were remote contingencies indeed, but they were possibilities, nevertheless, and if either of them happened an O'Donnell Defence Fund could not be started; and then, if the other money were expended meanwhile in fitting out a rescue party, how could the testimonial be given to the families of the martyrs? I should either have to pay it back out of my own pocket—and that, I submit, could not in fairness be expected of me—or else let things take their course. It might have been all right, but then again it might have turned out all wrong. A simple statement of the facts, doubtless, would satisfy some people, but it would be no answer for others. The persons who would talk loudest are they who had given least or nothing at all. I had no discretion to act in the matter. The only safe course was to stick to the letter of the understanding that existed between the subscribers and myself, whatever the consequences, and so the rescue project was abandoned."

Then he states how the O'Donnell testimonial was got up. I shall show your Lordships that Mr. Parnell and his immediate allies—gentlemen whose names are mentioned in the particulars—have been the correspondents of the *Irish World*. and that after the date

of that article they continued to be its correspondents. I shall show that considerable sums of money have been remitted to Ireland from the *Irish World* and received by Mr. Parnell and his party. This article is the public statement of Ford. How is it to be reconciled with that other statement that until the names of the murderers should have been discovered a stain would rest upon the name of Ireland? I shall be able to prove to your Lordships by the admissions of members of the organization in Ireland that out of £148,000 received up to October, 1881, a very large sum came from America, and after the date of Ford's article further sums were received. What, then, is the position of this party? *The Times* has alleged that this conspiracy was fed by American gold subscribed by people who were not only guilty of treasonable practices, but who encouraged outrages of the worst kind. Do you think that a Constitutional party, a *bond fide* political organization, would have stooped to accept money from such men? I shall show your Lordships when I take up the American part of this story that, to the knowledge of the persons who were urging that the *Irish World* should be sent into Ireland and dwelling upon the great benefits that such publications conferred upon the Land League, articles were being written in these papers and reports published which were about as bad as anything could be, and which would lead, if acted upon, to the perpetration of, perhaps, worse crimes than the Phoenix Park murders. I do not believe that any public statement can be produced showing that Mr. Parnell or any one of his followers repudiated Ford, or was ashamed of him. There was at one time, it may be right to mention, a slight estrangement between Mr. Parnell and Ford, apparently due to the former's conduct in connexion with some money matters. Mr. Parnell, I know, expressed the opinion in the House of Commons that he would have got as much money if Ford had not been in existence; but has there ever been any repudiation by any one of the men who were united together as the leaders of the Land League and the National League—any repudiation of the doctrines which Ford was preaching? I say that in 1885 and 1886, as in 1882 and 1883, there stood upon platforms in Ireland representatives of the *Irish World* and of the American contingent who were undoubtedly in

league with Ford, Davitt, Brennan, Quinn, Byrne, and Sheridan were active correspondents of the *Irish World*. I have said that I desired to show that the conduct of those who were the leaders of the National League was continued after the time when they had full knowledge of the consequences of their previous actions. In this connexion I shall read, and am entitled to read, the statement made in Mr. Parnell's hearing by Mr. Forster, a statement which gave the most distinct notice to Mr. Parnell, and which was not refuted by him. This is the ancient history of which Sir C. Russell was anxious to remind your Lordships. I want to make it perfectly clear that the statement was made in Mr. Parnell's hearing and that he was unable to deny the charge which it contained. Mr. Forster may have been absolutely wrong in the judgment which he formed, but I desire to establish beyond all question that Mr. Parnell knew what was alleged respecting the conduct of the Land League. There can be no doubt of the meaning of this language, and I will adopt it as being a correct description of the charges which were afterwards repeated in "Parnellism and Crime." Mr. Forster said in the House of Commons on February 22, 1883 :—

"Do not let the hon. member suppose that I charge him with having planned any murder, or with complicity with murder. But I wish there to be no mistake that this I do charge the hon. member and his friends with. He and they allowed themselves to continue the leaders—he the avowed chief—of an organization which not merely ostensibly advised and urged the ruin of those who opposed them, and avowed that doctrine of 'boycotting' which was to make life almost more miserable than death, but which set on foot an agitation which organized or promoted outrage and incited to murder, of which the natural result and outcome was murder; and the hon. member ought to have known this to be the natural outcome. It is very hard for me to understand how he did not know it and how he did not separate himself from it altogether and disavow and denounce it."

Now, I assert that when Mr. Parnell spoke in answer to that charge he did not deny the truth of it. On the contrary, his answer was of a most trumpery and trivial description. He attacked Mr. Forster for referring to the *Irish World* and to the heading "The Incidents of

the Campaign " which had been used while Mr. Parnell was in Kilmainham. He did not, however, explain that a similar heading had been used when he was not in Kilmainham. I refer to this with a view to show your Lordships what was the judgment of a man specially qualified to form an opinion, what was his judgment upon the organisation with which Mr. Parnell was associated. That was the charge made by Mr. Forster ; that was the charge made by *The Times*.

The PRESIDENT.—Your point is that Mr. Parnell did not repudiate it ?

The ATTORNEY-GENERAL.—Certainly, my Lord. If there were any passage containing a repudiation I would read it. Now I want to put in relief what this charge means. Two things will be proved beyond all question ; one is that concurrently with the spread of the Land League crime is invariably found, marking its steps with blood, and that there is no such crime where the League is not present and where speeches of the kind which I have described are not delivered. From 1877 to 1879 there were 20 murders in the whole of Ireland. In 1880, 1881, and part of 1882 there were 50 murders. In 1883 and 1884, when the Land League was not able to carry on its work with the same success as previously in consequence of the passing of the Crimes Act, there was only one murder. In 1885 and 1886 and a portion of 1887 the number rose to 19. The increase of murders in 1880, 1881, and 1882 was due to the action of the Land League, and in 1885, 1886, and 1887 to the action of the National League. The cases of firing at persons in 1877, 1878, and 1879 were 17 ; in 1880, 1881, and 1882 they rose to 148 ; in 1883 and 1884 they fell to 16 ; in 1885 and 1886 and part of 1887 they again rose to 47. If it was not the Land League agitation that brought about this increase of crime why was it committed ? My learned friends may try, but nobody has yet been able to suggest any other cause. Possibly they may be cleverer than people have been hitherto. Then take incendiary fires. In 1877, 1878, and 1879 there were 120 ; in 1880, 1881, and 1882 there were 776 ; in 1883 and 1884, 229 ; and in 1885, 1886, and part of 1887, 322. Firing at the dwelling-house—1877, 1878, and 1879, 27 ; 1880, 1881, and 1882, 325 ; 1883 and 1884, 37 ; 1885, 1886, and 1887, 111. Killing and maiming of cattle—

1877, 1878, and 1879, 57 ; 1880, 1881, and 1882, 300 ; 1883 and 1884, 122 ; 1885, 1886, and 1887, 183. In every case I refer to the broken portion of 1887 and not to the whole year. Threatening letters and notices—1877, 1878, and 1879, 674 ; 1880, 1881, and 1882, 5,536 (Will my learned friend suggest that that is not the Land League ?) ; 1883 and 1884, 796 ; 1885, 1886, and 1887, 1,154. Intimidation (I do not care much about the figures, because it may be serious or not)—1880, 1881, and 1882, 946 ; 1883 and 1884, 106 ; 1885, 1886, and 1887, 259. When you take the individual counties, in respect of which I read the speeches yesterday, the results are in some cases most remarkable. Kerry.—Firing at the person—1877, 1878, and 1879, no offence ; 1880, 1881, and 1882, 26. Incendiary fires—1877, 1878, and 1879, 5 ; 1880, 1881, and 1882, 78. Firing into dwelling-house—in the earlier period there was no offence, and in the second period 23. My Lords, did Mr. Parnell know this or not ? I mean equally Mr. Biggar and the other gentlemen. Did the Parnellite party know this or not ; if not, how do they account for their ignorance ? If they did know it, why did they not use a part of their influence—at any rate it could do no harm, it might have done some little good in the matter ? Maiming of cattle—six in the earlier period, 25 in the second period ; threatening letters—four in the earlier period, 538 in the second period. Clare.—Firing at the person—none in the first period, 14 in the second ; incendiary fires—one in the first period, 24 in the second ; killing and maiming cattle—one in the first period, 12 in the second ; threatening letters—22 in the first period, 225 in the second. Mayo.—Firing at the person—three in the first period, 13 in the second ; incendiary fires—nine in the first period, 15 in the second ; firing at dwelling-house—four in the first period, 18 in the second ; killing and maiming of cattle—none in the first period, 49 in the second.

The PRESIDENT.—Is it necessary to go through all the counties ?

The ATTORNEY-GENERAL.—No, my Lord ; it is not necessary—

The PRESIDENT.—You have indicated the line.

The ATTORNEY-GENERAL.—Of course, my Lord. I am sure your Lordships will be able to judge of that. An incident in connexion with these crimes which I have

not yet mentioned and to which we attach very considerable importance—ordinary agrarian disputes between two tenants who fought about farms, did occur, were known. Ribbonism was known ; outrages which to a certain extent were traceable to Fenianism were known ; but the peculiar feature of the crimes and outrages which characterized this period was this—that they were practised upon a class which had been to a great extent free from such outrages before. Landlords had been shot ; persons had been killed or assailed from private motives ; but this system, which crushed out the life of the small occupier—of the small tenant—which, practically speaking, prevented a man from taking land because it was the will of the League that it should not be taken, was a completely new thing ; and I think it will be found, when the evidence comes to be examined, that the characteristics of the way in which the outrages were worked to enforce the decrees of the League point to the fact that it was simply a means of carrying out a purpose, and that that purpose was the destruction of the power of the Government which existed or ought to exist, or was supposed to exist. I mention that because it is a matter to which I shall ask your Lordships' especial attention. I think, my Lords, this would be a convenient point for me to conclude this part of my opening, and with your Lordships' permission I will commence to-morrow by dealing with the connexion between the American organization and the English organization.

THURSDAY, OCTOBER 25.

The Commissioners having taken their seats upon the Bench,

The ATTORNEY-GENERAL rose to continue his speech, and said,—I shall resume, my Lords, where I broke off last evening, and shall proceed to show the connexion between the persons whose names are mentioned in the particulars and the American organization or conspiracy. The appearance of Mr. Davitt before this tribunal necessitates my referring to some other matters which it otherwise would probably not have been necessary to bring at any length before your

Lordships. As, however, there are certain circumstances connected with Mr. Davitt upon which I shall have to give evidence, it is right, I think, that I should now make a reference to such parts of the charges as relate directly to him. There are various passages in "Parnellism and Crime" and in my speech in the case of "O'Donnell v. Walter" which deal with this matter of the connexion of the Irish Land League with the American organization, and I will shortly summarize them. Our allegation is that the Land League organization, of which Mr. Parnell was president, was in fact originated in America. We allege that it was a conspiracy which was hatched, plotted, and carried out with American money. We allege that among those who were members of this conspiracy in America were persons who were dynamitards, who advocated the use of dynamite, who advocated assassination, and who referred to crimes of the worst description as being mere incidents in carrying out the war. We have put on record what our meaning clearly is, and in the particulars we have given the names of the persons with whom we allege Mr. Parnell and his followers associated, and we have also given very briefly an outline of the character of some of these individuals. Further, we have alleged in our particulars that persons whose names are included among the members of Parliament and others were engaged directly in promoting and disseminating in Ireland literature which incited to sedition, to the commission of crimes, and to outrages, and we mention as among such literature the *Irish World*, the *Chicago Citizen*, the *Boston Pilot*, and *United Ireland*. It will be my duty to-day to indicate the evidence by which we propose to prove the connexion between the members of Parliament whose names are mentioned in the particulars and the leading members of the American organization. I wish distinctly to point out incident after incident which will show that continuously from the year 1878 down to 1886 there was

the most intimate connexion between Mr. Parnell and his followers and certain men in America, whose names I shall give, and the most active co-operation in carrying out those nefarious practices which are referred to in "Parnellism and Crime." I should like to mention to your Lordships one or two of the names of those men in America. Patrick Egan, whose name has been already frequently mentioned; Patrick Ford, who was the editor of the *Irish World*, and who I shall show remitted thousands and thousands of pounds to the Land League and the National League as the result of subscriptions in America; Patrick Sheridan, the same man to whom I have already referred as a Land League organizer, and who got up crimes of violence and outrage. After the month of July, 1883, perhaps earlier, but certainly after that, he was intimately connected with the *Irish World*. There was also Breslin, a member of the Irish Republican Brotherhood, who it is suggested—I do not know that I shall be able to prove it—aided in the escape from gaol of Stephens, the head-centre of the Fenians. Then there was the Rev. Eugene Sheehy, who was connected with outrages in Ireland; Condon, who was condemned to death for the murder of Sergeant Brett, and whose sentence was commuted to penal servitude. After his release he went to America, and your Lordships will find him associated with a number of men whose names are mentioned in the particulars. There was also John Finerty, who I shall show on the authority of Mr. Parnell was a dynamitard; and also James Redpath, a person to whom I referred yesterday. There was also O'Donovan Rossa, a man who continually advocated crime of the worst description. I may also mention two other names, Devoy, the Fenian, and E. J. Rowe, who was president of one of the branches of the American League. Now, my Lords, I shall have to deal particularly with the case of Mr. Davitt, and I think I shall be able to put in writing within the next two days details of

other matters which I think ought to be particularly mentioned in reference to Mr. Davitt's case. Your Lordships will find, on admissions made by Mr. Davitt himself, that he, even before the formation of the Land League, secured the co-operation of Patrick Ford and the *Irish World* and another paper called the *Boston Pilot*. The extracts I have to read to your Lordships show the character of the literature which was being disseminated by the thousand copies by several of the gentlemen charged, and in respect of which thanks were repeatedly sent over by the most prominent members of the Irish Land League and by many of the most prominent persons who are mentioned in the list. I shall show your Lordships that the experience and support of Patrick Ford and his newspaper were secured by Mr. Davitt himself. By his own admissions Mr. Davitt, it appears, was introduced to Patrick Ford in 1878, and at an interview between them Mr. Ford remonstrated with Mr. Davitt for the somewhat halting and half-hearted policy he advocated. I should have thought that what Mr. Davitt was then advocating went far enough, but it did not go sufficiently far at first to secure the support of Mr. Ford. I shall show your Lordships that for years Mr. Davitt was in communication with Ford, and that he has stated publicly that throughout the whole of the agitation with which he was connected during the years 1880 to 1884 Patrick Ford was his counsellor, guide, and friend. The dissemination of literature containing incitement to crime which appeared in every issue of the *Irish World* was a part of the scheme which it was necessary to carry out in order that every part of the complete programme might be carried into effect by the one organization. Your Lordships will find that, after an interview with Mr. Ford, Mr. Davitt succeeded in getting him to support the scheme which he publicly enunciated; and I think I shall be able to read a document from Davitt's own hand setting forth what that scheme was. Ford was unwilling at first for his paper or organization to assist in any scheme which did not

go far enough, and he objected that Davitt's scheme did not go far enough. I think I can now state to your Lordships what was Mr. Davitt's own view before 1879 as to the policy intended to be advocated. I am now about to show that the policy of the Land League—a policy which Mr. Parnell accepted, and of which Mr. Egan, the treasurer, and Mr. Brennan, the secretary of the League, were most active supporters—that that policy was hatched in America, and that Davitt expounded it. It was the acquiescence of all parties in that policy which enabled Mr. Parnell to command the enormous amount of American money he did command. I will read a statement of Mr. Davitt himself on this matter. It is contained in a public speech made by him in August, 1878, during one of his first visits to America, in which he said he was anxious lest the main question of Irish independence should be lost sight of over minor grievances. He solemnly pledged himself that every effort of his should be employed to avert the danger, and that Irish independence should be always kept as a beacon light ahead; and, on the faith of these pledges he asked the American sympathizers to support the new programme and enable him to propagate the new gospel. Now, my Lords, I hope I may be pardoned for repeating from time to time the parts of this case to which my friends and I attach very great importance. We say that what was being done by Mr. Parnell and his followers at home was being done with a view to obtaining the same end. I shall show your Lordships that it was impossible for Mr. Parnell and his followers to break with the extreme American section, which had been the advocate of Communism, of assassination, of crime and outrage, that the same intimate relation was kept up, and that, notwithstanding distinct knowledge on the part of Mr. Parnell and many of his followers that the persons with whom they had been associating were professed dynamiters and the advocates of assassination, they went on associating with them. I repeat that such were the terms which existed between Mr. Parnell and the American section that he could not break with them. In the same year, 1878, in the month of September, Mr. Davitt made this statement:—

“Twelve or fourteen years ago my boyish heart thrilled with admiration for the men who confronted

Ireland's foe, and taught from the dock and the prison the undying principles of Irish Nationality. I became an humble disciple of the same and an enemy to the enemies of my country. In my riper years I have adhered to the principles I then imbibed, and when their profession entailed a like penalty to that which Dr. Luby, Mr. Devoy, General Bourke, and many others had to bear, I trust I endured it in a like spirit to theirs, and left behind me a prison record of which my countrymen need not feel ashamed."

Bourke, I may remind your Lordships, was convicted of high treason on April 24, 1866.

SIR C. RUSSELL.—1868, according to my proof.

THE ATTORNEY-GENERAL.—No ; 1866. Devoy was a convicted Fenian, and my impression is that Luby was also a convicted Fenian. I am not now dealing with the Fenian part of the case otherwise than as an incident of the story. Davitt himself was tried at the Old Bailey before Lord Chief Justice Cockburn in connexion with an occurrence at Chester.

MR. JUSTICE A. L. SMITH.—In what year ?

THE ATTORNEY-GENERAL.—1868, I think.

THE PRESIDENT.—Bourke was in prison in 1866. I had forgotten the name. Bourke was confined in Clerkenwell Prison.

THE ATTORNEY-GENERAL.—I do not think that it is the same man. I refer to Thomas Bourke, who was convicted of high treason on April 24, 1866, in Dublin. By an error the date has been printed 1868 in Sir C. Russell's proof. Now I will continue to read. Mr. Davitt went on to say :—

" You are already aware that my stay in America is to be of short duration, and as a public expression of my opinions as a Nationalist would be injudicious, I therefore refrain from any allusion to them beyond saying that my imprisonment has not changed my political convictions in the least, nor lessened my faith in the ultimate triumph of the cause in which they are enlisted. I am under a sincere obligation to the officers and men of the Irish Volunteers for the compliment conveyed in a special invitation to their annual excursion, and thus enjoy (*sic*) at once the gratification which the society of so many of Ireland's exiles afford (*sic*) me, and the, to me, highly interesting spectacle of beholding for the first time in my life companies of Irish soldiers armed and uniformed in the national cause.

Face to face with the enemy of our country since my birth, I feel proud to-day while gazing upon manly forms and resolute arms pledged to the service of Ireland alone."

Davitt will be found to have been in America for the purpose of enlisting the sympathy of the Irish-American party in the movement of which he was an active supporter at that time. Two significant resolutions were passed at a meeting on September 24, 1878, in the same tour. They were proposed by Devoy, the Fenian, in the presence of Mr. Davitt. They were :—

"(1) That we deem the present a fitting opportunity to proclaim our conviction of Ireland's right to an independent national existence ; that as Ireland has never forfeited her right to independence, and as no action on the part of England has given any justification for an acceptance of the Union, we hereby protest against all attempts at compromise, and renew our resolve to work for the complete overthrow of British domination."

"(2) That the landlord system forced on the Irish people by English legislation is a disgrace to humanity and the civilization of the present century ; that it is the direct cause of the expatriation of millions of the Irish race and of the miserable condition of the Irish peasantry ; that as the land of Ireland belongs to the people of Ireland, the abolition of the foreign landlord system and the substitution of one by which the tiller of the soil would be fixed permanently upon it and hold directly of the State is the only true solution of the Irish land question, a solution which an Irish Republic alone can effect."

The resolutions were unanimously adopted. Now, will your Lordships just consider what was the character of this combined organization in which Mr. Parnell and his followers were taking part ? For the American section it was necessary to state that there would be no compromise, but a complete overthrow of the British dominion. At hundreds of the meetings which were held speeches were made in support of the plan of complete separation. For the American section it was essential that this principle should be a principle of the organization. For the persons at home, on the other hand, the abolition of landlords was to be the special inducement to join in the organization, and the attack upon the landlords, as I have explained, was to satisfy that greed for the land which was well

known to exist among the Irish peasantry. The object was to lead the peasants to believe that by adherence and obedience to the laws of the Land League they would ultimately effect the eviction of the landlords from the soil, which would then become the land of the tenant occupier. I wish to pass over much that happened in the same year briefly, but it is necessary that I should give the outline of what occurred to show the continuous connexion with the American organization of the men to whose names I have drawn attention to-day. On September 26, 1878, there was a meeting to welcome Condon and Meledy. Condon was originally sentenced to death for the murder of Sergeant Brett at Manchester. I cannot at the moment tell your Lordships what Meledy's crime was, but I believe he also was mixed up with that murder. At that meeting there were present, besides Davitt, Devoy, O'Donovan Rossa, John Breslin, Thomas Clarke Luby, John Walsh, and Patrick Ford. All those were there to welcome Condon and Meledy, and the following address was, in Davitt's presence, presented to Condon and Meledy:—

"You were tried and convicted in a British Court for participation in a movement for the liberation of our native land—a movement in which we are proud to have borne a part, and which to-day is possessed of a more vigorous vitality than when the three confessors of our political faith gave up their lives for Ireland on the Manchester scaffold. . . ."

Your Lordships will remember that "the three confessors of our political faith" were Larkin, Allen, and O'Brien, the murderers of Sergeant Brett, whose names were referred to in several of the speeches I read to your Lordships on the first and second days. On October 13 of the same year, in the presence of Messrs. John Devoy, John J. Breslin, Patrick Meledy, John D. Carroll, and others, Davitt made another speech. He said he had no faith in Parliamentary representation through the Home Rule party, the repeal party, or the disruption party. He was in favour of sending representatives imbued with Nationalist ideas to the British Parliament—men who would not there fear to give expression to the feelings and demands of their constituency, and give the world to understand what the Irish people want. He regarded Mr. Parnell, the Obstructionist, as the best Irish representative in the

British Parliament. While he did not think Mr. Biggar possessed as much ability, he had the honesty and fearlessness of Mr. Parnell, whom he acknowledged as his leader. He referred to Mr. O'Connor Power and his visit to America, and also to Mr. O'Donnell, who, he said, had disgracefully betrayed the trust of the Irish people. Devoy spoke in Mr. Davitt's presence, and this is what Devoy says :—

“ I will say that I endorse the views set forth in the very able lecture you have just heard from Mr. Davitt, and that I fully approve of the public policy he proposes for the National party. I think, however, that some portions of it require further elaboration and plainer speaking. I think the National party should take a more active part in the public life of the country and endeavour to mould public opinion at home and abroad for the benefit of the National cause. I think we have remained in the background too long, and allowed the country to be misrepresented. I think the time has come when we should step to the front in the broad light of day and proclaim to the world what we want; that it is time to push aside the men who misrepresent Ireland in Parliament and in the local public bodies throughout Ireland. Until this is done we shall be misunderstood on the Continent of Europe, and even here in America, and our cause must suffer in consequence.”

He then says in the same speech that Ireland would never be satisfied with federal connexion, and then says this :—

“ Now there is one clause in the platform proposed by Mr. Davitt that I would like to see further elaborated and made more clear and distinct—I mean the clause about the land question. The land question is the question of questions in Ireland, and the one upon which the National party must speak out in the plainest language. I am, of course, in favour of stopping evictions and encouraging measures looking towards the establishment of a peasant proprietary, but I would go further than that. I think the only true solution of the land question is the abolition of landlordism. The landlord system is the greatest curse inflicted by England on Ireland, and Ireland will never be prosperous or happy until it is rooted out. The land of Ireland belongs to the people of Ireland and to them alone, and

we must not be afraid to say so. . . . Now, I believe in Irish independence, but I don't believe it would be worth while to free Ireland if that foreign landlord system were to be left standing. I am in favour of sweeping away every vestige of the English connexion, and this accursed landlord system above and before all."

If these speeches were delivered in Mr. Davitt's presence, and I do not think he will deny the substance or accuracy of the reports of any speeches which were, in fact, delivered before him, I do not think that it can be said he was ignorant of what the aims of the American section were. *The Times* has said the object of the Land League—the object of Mr. Parnell and the speakers whom he sent out—was to sweep away landlordism—to root it out of the ground; and the way they did so was by an organization which tyrannized over the poor tenant, who had never before been attacked, in order to make it impossible for him to carry on the relations which had previously existed between landlord and tenant. I have proved what, I believe, is admitted by Mr. Davitt to be substantially a correct review of the programme which he was enunciating in 1878; at any rate I have gone some steps on the road to prove to your Lordships that what you heard enunciated in the speeches of the Irish members in 1880, 1881, and 1882 had been hatched, devised, and planned in America, by Davitt who was obtaining the support of America, and was not simply and solely the arrangement or planning of those who had to do with the Irish organization. One of the main and principal charges in this indictment of conspiracy against these men is that it was a conspiracy with those American Irish who have advocated and still advocate those iniquitous modes of carrying on this conspiracy, which they called a *bond fide* political organization. Davitt's visit to America was a short one. He advocated those principles, obtained a very large amount of support, and came back to report the result to those at home. As far as I can recollect, the date Mr. Davitt came to England again was the autumn of 1878. Your Lordships will find that this arrangement and confederation between the extreme section and the home party was constantly spoken of as "the new departure." It was, as far as we can trace history, the first time that an attempt had been made to bring the Fenian organization, or the outcome of

the Fenian organization, by which I mean the extreme party in America, in touch with the land agitation. And in so far as it gave to Mr. Parnell a power in Parliament which he never had before it was eminently successful. But what *The Times* has said, and I have repeated so many times in the course of my lengthy address in opening this case, is that that power only could exist by reason of the reign of terror and intimidation which was rendered effectual by the crimes that were committed. Nothing else could possibly give the force, the vitality, and the power to the organization of which Mr. Parnell was in England the representative. As I said yesterday it created crimes which had never before been heard of in Ireland. There are hundreds of instances of injuries and outrages to persons for paying their rent—simply for paying their rent. I believe it will be proved before your Lordships that an outrage upon a person for paying his rent was practically unknown before 1880. I make this statement boldly, and my learned friends may check or disprove it if they can, and I believe it will turn out that the mode of terrorizing by outrages or assaults, firing at persons simply because they had fulfilled their obligations to their landlord, was absolutely new. And in a few months, my Lords, I may say it grew to be a system, and I think I shall satisfy your Lordships that Davitt in 1878 got the adherence of the American section by telling them that independence would be secured by the driving away of the landlord class, and that the way in which they attempted to uproot the landlord class was by attacking a class they had never attacked before. Unless my learned friends are able to displace these premisses, I submit that the logical consequence is that this power of Mr. Parnell and this organization did rest upon that organized conspiracy for crime and on nothing else. Now, my Lords, I maintained to your Lordships that on this visit Mr Davitt secured the *Irish World*. I shall be able to prove that interviews did take place between him and Mr. Ford, and he also secured the interest of the *Boston Pilot*, which was managed by Mr. J. B. O'Reilly, who was, I believe, a Fenian—whether convicted or not I do not know. Now, my Lords, there was in December, 1878, a further statement by Mr. Davitt of what I call the new departure platform.

SIR C. RUSSELL.—Where is this ?

The ATTORNEY-GENERAL.—I believe it was published in Boston on December 8, 1878.

Mr. Michael Davitt.—I did not come back in 1878; it was in September, 1879.

The ATTORNEY-GENERAL.—Mr. Davitt will find I do not attach much importance to this date; but I am now referring to a statement in Mr. Davitt's lecture, published with his authority and edited by himself, and therefore I am satisfied I am quoting something which Mr. Davitt will not repudiate. I think it will be better if I make my statement as to what I am prepared to prove, and if I make any mistake, then it will fall upon me; but as far as I am able to do so, I shall prove the substantial accuracy of the reports. He asks, "How it is that the Nationalist party is numerically the strongest in sentiment and sympathy while not so in action?" Assuming the position of a small Tipperary tenant farmer, he answers:—

"The Nationalist party tells me that when independence is won I will no longer be at the mercy of an English landlord. . . . Yellow meal porridge is a more substantial meal than visionary plenty, and if the Nationalists want me to believe in and labour a little for independence they must first show themselves desirous and strong enough to *stand between me and the power which a single Englishman wields over me* (italics in original). . . . Let them show that the social well-being of our people is the motive of their actions and aim of their endeavours while striving for the grand object ahead, and then the farming classes in Ireland will rally round them to assist in reaching that object."

My Lords, it is evident that if that be found to be a correct paraphrase of the argument, it is clear that the object he had in view was to enlist, to get upon their side, a class who previously had no sympathy with them. And how? By tyranny, by intimidation; by tyranny over these men who were afraid for their lives of resisting the action of the Irish League. Nay, more—I say this, and I give my learned friend the benefit of it—it was by appealing to self-interest, to the greed of the Irish tenant, that this organization also was enabled to a certain extent to obtain its power, because it was by that which I do not hesitate to state to your Lordships is illegal—has been declared to be illegal—by a conspiracy or com-

combination to prevent the tenants from paying their rents who were willing to pay, that they were able to enlist, first, those who did not want to pay; and, secondly, to get under their thumb, aye, and worse than under their thumb, those who were afraid to pay because of the vengeance which might come down upon them. I have taken a series of speeches of Mr. Davitt's in America. I have taken the resolutions to which he gave adherence, I have taken his own explanation of the programme Mr. Davitt advocated, and I say, my Lords, that that shows that this programme, which had not previously been initiated in Ireland, came from America, and not in any way from the Irish Nationalists on this side. Mr. Davitt having outlined the programme, Mr. Devoy got the Irish Revolutionists to give their assent to the new movement. Thus we have the Fenians, the Revolutionists, the extreme party, all working with a common object. That being so, there was no difficulty then about subscriptions coming from America, and after that your Lordships will find Mr. Ford very shortly working hard to promote this common purpose. I am not sure whether Mr. Egan was at that time in America—I rather think he was—but, immediately on Davitt's having succeeded in obtaining the allegiance of the American section to his new programme, he endeavoured to secure the support of Mr. Parnell and his followers. As far as I can gather from what I shall be able to put before your Lordships, the first offer of negotiations with Mr. Parnell and his followers came from Mr. Davitt, and not from Mr. Parnell to the American section. I shall be able to show that Patrick Egan, the treasurer, and T. Brennan, the secretary of the League, were the first consulted. It is a very remarkable thing, to which I must call your Lordships' special attention, in connexion with my argument yesterday as to Mr. Parnell's position after the Phoenix Park murders, that it will be found from Mr. Davitt's own account of his interviews with Mr. Parnell that at this time Mr. Parnell, although favourably impressed with portions of the new policy, hesitated about throwing himself into it, "fearing that he might be pushed further than he deemed it prudent to go, and fancying that some of its Nationalist advocates harboured insurrectionary projects that might be

sprung on the movement during some popular excitement," I believe that it will turn out that on that ground there was reluctance on the part of Mr. Parnell to be dragged into this conspiracy in the first instance. What did he mean by "being pushed further than he thought it prudent to go?" Was it into closer connexion with O'Donovan Rossa and Finerty, who advocated the blowing up of public buildings and the sacking of London, Manchester, and other cities, as was admitted by Ford in his papers? It does throw a remarkable light upon the growth of this conspiracy, on the way in which it gradually grew up—aye, and on the way in which the constitutional party were gradually involved in the quagmire and slough of despond, the effects of which they have not shaken off to this day, and which it is doubtful whether they ever will shake off. The position of Mr. Parnell was that he feared lest he should be dragged too far, and he hesitated to join the connexion upon the platform upon which Mr. Davitt had secured the alliance, support, and adherence of the American party. Early in 1879, before the formation of the Land League, the agitation commenced in Ireland, and it was commenced by a speech of Mr. Davitt's in Milltown, in county Galway. The actual date of the meeting at which that speech was delivered I am afraid I cannot give your Lordships, but I think that it was about the beginning of the year 1879. At that meeting, Mr. Davitt said:—

"I would advise the tenant farmers to feed themselves and their children, to live comfortably and decently, to keep their cabins neat, and send their children to school, and if there was sufficient left to pay the landlords the rent they demand." . . . He continued:—"What had organization done for Ireland? The organization to which he had the honour to belong—the Fenian organization (loud and prolonged cheers)—what organization disestablished the Irish Church. So said Mr. Gladstone. Well, an organization of the tenant farmers would disestablish the landlords in half the time. (Cheers.)"

I think that it will turn out that some other of the gentlemen named made speeches at that meeting, but I admit that it was held before the formation of the Land League and before any attempt was made to form a universal organization. The Land League was actually formed at the Imperial Hotel in Dublin on the 21st of

October, 1879, Mr. Parnell being present with Kettle, Egan, and others. It was necessary to obtain funds for starting the Irish Land League, and the question is, where did they come from? I made a statement yesterday, then supposed to be a mistake, but which I now find to be perfectly correct—that the money required for starting *United Ireland* came from America. When it was found necessary to start an auxiliary movement the funds were advanced by Davitt, but the money came from funds in America. The indebtedness for that advance Davitt took upon himself, the money being supplied from the American funds :—

“ In August, 1879, two months before the Land League was organized, seeing that some money was necessary, I put myself in communication with Patrick Ford, of the *Irish World* ; John Boyle O'Reilly, of the *Boston Pilot* ; John Devoy ; the late Patrick Mahon, of Rochester ; and Dr. William Carroll, of Philadelphia. I represented to them, as personal friends of mine, and representative men in America, the importance of this agitation in Ireland. . . . I told them the agitation had been carried on to that point at the personal expense of a few men, and that in order that it should be made a great movement it would be necessary to start an auxiliary movement in America, so as to allow those who had been driven out of Ireland by landlordism to co-operate with us in our efforts to drive landlordism out in turn.”

And then he goes on to state that he took from a fund called the National Fund the sum of £303 8s., which he regarded as a debt for which he considered himself to be personally responsible ; so much so that when Mr. Parnell and Mr. Dillon desired that it should be repaid Davitt would not allow it to be repaid, alleging that it was a personal debt due from himself. I think that your Lordships will find that the National Fund was another name for the Skirmishing Fund, and that the Skirmishing Fund was one subscribed to lay the great cities of England in ashes. The object with which the subscriptions were obtained was that the money might be available for acts of the greatest violence. It does not much matter for the particular purpose whether the £300 came out of one purse or another. The significant fact is that the advance of this money shows that this movement was not due to the spontaneous action of certain gentlemen

anxious to secure a reform of the land laws of their country, but that, on the contrary, it was necessary for starting this agitation on new lines that its promoters should have a considerable sum of money. Your Lordships will find that the movement in Ireland was started with so much energy and spirit that, in the course of two or three years, branches of the organization were established by the hundred wherever they could obtain a footing in the country, and the expenses of these branches, no doubt, came from the subscriptions that subsequently poured in. Passing as rapidly as I can over the year 1879, I wish to call your Lordships' attention to a statement of Davitt's in writing on the 21st of May, 1884. I, of course, am not going to pass over altogether the intervening time, but I wish to show your Lordships that the statements he made in 1879 are only slightly qualified by the statements he made in writing afterwards. But what is perhaps of more importance is that I am about to show that this theory, this principle of the destruction—the complete destruction—of Irish landlordism, was admitted by him to be the main and principal object of this conspiracy and organization which he founded. His letter is a lengthy one, but among other things he says:—

“The Land League was not of American, but of Mayo origin, as no such name or organization was heard of previous to the holding of a county conference in Castlebar on the 16th of August, 1879, at which the National Land League of Mayo was established, and a declaration of principles and a policy of agitation proclaimed, upon which the subsequent National Land League of Ireland was modelled.

“The platform of the Land League from which Mr. Sullivan quotes was not drawn in the City of New York by Irish Nationalists, but in the Imperial Hotel, Dublin, on the 21st of October, 1879, by Messrs. Parnell, Egan, Brennan, Kettle, and your humble servant; or, more correctly speaking, by two of these gentlemen in consultation with the rest.”

Yes, but Mr. Davitt forgets that he had previously pointed out that the platform on which he was able or hoped to unite all the parties had been previously constituted, if not designed, in America in the previous year. He goes on to say:—

“The first plank of this platform was not a declara-

tion for self-government, nor was there any allusion to or demand for self-government in the platform of the Land League, as adopted at the initial meeting in the Imperial Hotel in October, 1879, and from which Mr. Sullivan quotes correctly in reference to a plank which was adopted thereat—namely, peasant proprietary.”

He then proceeds to deal with some matters which do not directly bear upon the point to which I am addressing myself.

Mr. Davitt.—Why not read it all?

The ATTORNEY-GENERAL.—I will read it all with the greatest pleasure, but I think, if I am to read the whole of the speeches, instead of my address occupying days it will occupy weeks.

Mr. Davitt.—I do not insist upon it.

The ATTORNEY-GENERAL.—I will read anything that is fair, but there is nothing to qualify it. I have not the slightest objection—if it is thought at any time that there is anything to qualify what I am reading, I will read the whole.

SIR C. RUSSELL.—We have not copies.

The PRESIDENT.—Are you going to hand in this?

The ATTORNEY-GENERAL.—Not this particular document, my lord.

Mr. Davitt.—I have no particulars whatever, so far.

The PRESIDENT.—It is not a question of particulars.

The ATTORNEY-GENERAL.—I am reading from an extract from my brief.

The PRESIDENT.—Quite so; but it is avowedly a part of a speech?

The ATTORNEY-GENERAL.—Yes.

The PRESIDENT.—I understand what Mr. Davitt asks for is the opportunity of seeing the whole of the context?

Mr. Davitt.—Yes.

The PRESIDENT.—I want to know in what way you will supply that.

The ATTORNEY-GENERAL.—As a matter of fact, it is a letter I was reading, not a speech. I will give Mr. Davitt a copy of it, and when I put it in, the whole of it will be put in. All I was dealing with at the present time was making clear my point by an extract from the letter.

The PRESIDENT.—My anxiety at the moment was to satisfy Mr. Davitt.

Mr. Davitt.—I hope to get a copy of the speeches.

The PRESIDENT.—The Attorney-General has undertaken that you shall have a copy of every speech he refers to as implicating you in any way.

The ATTORNEY-GENERAL.—Yes; and every speech I read will be printed in the day's note, as your Lordship pointed out.

SIR C. RUSSELL.—You are only reading portions of it.

The ATTORNEY-GENERAL.—My learned friend has again fallen into the same error he made on the first day. I have only got extracts from the speeches. All that I use I shall put in—the whole of it. I believe that in every single instance, my Lord, my learned friend has got copies of all the speeches I have read. He has already got them from the *Freeman's Journal*.

SIR C. RUSSELL.—I can assure you I have not.

The ATTORNEY-GENERAL.—They are to be found there.

SIR C. RUSSELL.—What I was pointing out was that the day's note will only supply what my learned friend reads.

The PRESIDENT.—Pardon me. I thought it was agreed between you that the whole document of which the Attorney-General read a part should appear in the note, and in that belief I have given directions that there should be a portion enclosed in brackets to show how much was read by the Attorney-General.

SIR C. RUSSELL.—My Lord, we hear that for the first time. We understood that to refer simply to the police reports which were supposed by us to have been made for the Government and the marginal notes showing by whom they were made. We are glad to hear that statement from your Lordship, but I do not think that the course you have indicated has been followed so far. That undoubtedly will be a great assistance. Then we are to understand that, in every case in which the Attorney-General has read a passage from what purports to be a letter or a speech of any person incriminated the whole of that letter or the whole of that speech is to be set out in the shorthand notes?

The ATTORNEY-GENERAL.—My learned friend will understand nothing of the kind.

The PRESIDENT.—That is what I did mean.

The ATTORNEY-GENERAL.—I intended to explain what was the real fact,

The PRESIDENT.—I had to choose between two courses, whether or not simply to let the shorthand note represent what fell from the Attorney-General's lips. In that case the remainder of the documents, whatever they are, would not appear, and in that case they would have been put in an appendix. I thought it would be more convenient to all if I had it printed in the text, so to speak, with an indication of how much the Attorney-General had quoted.

SIR C. RUSSELL.—We think that would be a very convenient course, which my learned friend, as I at least understand it, does not assent to. Your Lordship means that whenever my learned friend reads a passage from what purports to be a letter or a speech from any incriminated person that the whole of the context is to appear, and the part not read by the Attorney-General is to appear in brackets.

The PRESIDENT.—That is my meaning.

The ATTORNEY-GENERAL.—As I have not had the opportunity of saying a word to your Lordship at the present moment, I may say my learned friend is from beginning to end entirely in error. I produce the whole of the extract I have read and the whole report of the speech. I have handed to my learned friend the whole of it, and the whole of it appears upon the note. There has been no keeping back anything.

The PRESIDENT.—No.

The ATTORNEY-GENERAL.—Or suppression by me of any part.

The PRESIDENT.—Nobody has suggested it.

The ATTORNEY-GENERAL.—Pardon me.

The PRESIDENT.—At any rate I did not notice it.

The ATTORNEY-GENERAL.—The personal observation was made.

SIR C. RUSSELL.—My friend is under a misapprehension. I was not complaining with regard to those speeches which were read and which purported to be taken by the police-constables. I do not complain with regard to those, because my learned friend handed me copies at the time, and they appeared on the note. But now your Lordship's observation is of wider range—namely, that whenever he is reading speeches or letters, the whole of the text of the speeches and letters is to appear on the note; the part not read is to appear in brackets.

The ATTORNEY-GENERAL.—I have not the materials for doing that.

The PRESIDENT.—If you have not the materials you cannot do it : but you are now reading from some document which purports to be what Mr. Davitt has said.

The ATTORNEY-GENERAL.—I am reading a letter, and I have stated I will put in the whole of it.

The PRESIDENT.—Perhaps you will continue to do that.

The ATTORNEY-GENERAL.—If I might be allowed to make my statement again, I will undertake to put upon the note the whole of every document I have from which I make an abstract.

The PRESIDENT.—Yes.

The ATTORNEY-GENERAL.—And I have never attempted or proposed simply to have put in the particular portion I read.

The PRESIDENT.—We are all agreed.

SIR C. RUSSELL.—Again, in order to prevent any future misunderstanding, does that or does not that apply to the speeches portions of which my learned friend reads—ay or no ?

The ATTORNEY-GENERAL.—I have not got the whole of the speeches. I have only reports. A man may speak for two hours, but I may have only a few lines of his speech.

The PRESIDENT.—If you have not got the whole of them it will be open to Sir Charles Russell to correct you by referring to such reports as do exist ; but what you do use you will put in the whole of it.

The ATTORNEY-GENERAL.—Without exception the whole extract at my command of every speech I read shall be put in.

The PRESIDENT.—I will look at the next day's note and see for myself whether it fulfils my idea of what ought to be done.

The ATTORNEY-GENERAL.—I am informed that in a very large number of instances my learned friend has the reports of the speeches as they appeared in the *Freeman's Journal*.

SIR C. RUSSELL.—That is correct to a large extent.

The PRESIDENT.—At all events they are easily accessible to you ?

SIR C. RUSSELL.—Yes, my Lord.

The ATTORNEY-GENERAL.—A considerable number of the reports are already in the possession of my learned friend's clients. The application would indicate that we had put in only a small part of what I quoted, whereas, in fact, I put in the whole. With regard to the particular matter under discussion, I did not wish to read the whole, because the rest of the document would, to a certain extent, introduce other topics not germane to that with which I was dealing at the time. I will now resume by reading that part of the letter which is material to what I was discussing at that particular moment. Mr. Davitt proceeds to say :—

"The principle upon which the Land League was founded is, as a matter of course, subject for dispute and difference of opinion, and the 'Programme' which was drawn up by the persons named and embodied in resolutions of the Conference on the 21st of October, 1879 (inasmuch as it did not comprise any demand for self-government), cannot be credited with containing the whole 'principle' upon which the Land League was founded. The organizers of the Conference had to consider the advisability of framing such a programme as would not 'scare' any timid land reformer away from the projected movement, and it was further considered necessary to render it eminently constitutional for the double purpose of legal protection against the Castle and to enable members of Parliament to defend it within the House of Commons. What, then, was the principle upon which the Land League was founded? I maintain that it was the complete destruction of Irish landlordism—first, as the system which was responsible for the poverty and periodical famines which have decimated Ireland; and secondly, because landlordism was a British garrison which barred the way to national independence." At any rate, that passage is very distinct, and it shows clearly that the system under which there were any landlords at all was to be swept away, to the complete destruction of Irish landlordism, "because landlordism was a British garrison which barred the way to national independence." Your Lordships may judge from the facts I have presented to you with reference to the objects of this conspiracy whether the allegations we have put into the particulars of "Parnellism and Crime" do not really represent the platform and

the objects of the organization by which these sections of the revolutionary movement were bound together. Your Lordships will perhaps recollect that I read a statement that Mr. Parnell was afraid that he might be drawn further into the matter than he deemed prudent ; but here is a statement that the House of Commons and timid land reformers might be frightened away from the projected movement. But afterwards it was discovered that timid land reformers might be frightened into the movement. What would these timid land reformers have thought if it had been put in black and white that firing into houses and firing at people who had paid their rent was a means by which the land reformer was to bring about the reforms he desired ? Your Lordships will judge of that matter. Now, my Lords, in the autumn of 1879 Mr. Parnell himself went to America to start the Irish-American Land League, and on the 11th of March, 1880, was held the New York hotel conference. There were present, among others, John Breslin, one of the trustees of the Skirmishing Fund ; Edward Carey ; Dr. Carroll, a trustee of the Skirmishing Fund ; E. O'Meagher Condon, sentenced to death for the murder of Sergeant Brett ; John Devoy, trustee of the Skirmishing Fund ; Mr. T. P. O'Connor, not the member of the House of Commons, for whom he was mistaken once, owing to the similarity of name ; and Mr. Parnell. The principal thing that was done at that meeting was to start the Irish American Land Organisation, and Mr. Parnell asked that there should be formed a National Irish Land League in the United States which should be auxiliary to the Irish National Land League in Dublin. Beyond the fact of the starting of this organization and that the roll of delegates was called over, I am not at present in a position to give your Lordships any information of what actually passed at that meeting, because I do not think that any public reports of its proceedings appeared ; but I think it is quite possible that in the course of these proceedings some further evidence will be given to your Lordships of what passed at that New York hotel conference. However, it is quite sufficient for my present purpose to show that its object was the starting of this organization to work with the Dublin League, and that the persons who

were appointed as delegates included Breslin, Devoy, Carroll, and Condon. Now, my Lords, Mr. Parnell appeared and made a speech on February 23, 1880, at Cincinnati. I have alleged before your Lordships that it was essential for Mr. Parnell to show the American section that he was working for the complete independence of Ireland so as to keep in his platform that one plank which had been so clearly stated by Davitt. In the course of that speech Mr. Parnell said:—

“ We are engaged in a great work in Ireland. . . With your help in keeping our people alive this winter, I feel confident we shall kill the Irish landlord system. And when we have given Ireland to the people of Ireland, we shall have laid the foundation upon which to build our Irish nation. The feudal tenure and the rule of the minority have been the corner-stone of English misrule. Pull out that corner-stone, break it up, destroy it, and you undermine English misgovernment. When we have undermined English misgovernment, we have paved the way for Ireland to take her place among the nations of the earth. And let us not forget that that is the ultimate goal at which all we Irishmen aim. None of us—whether we are in America or in Ireland, or wherever we may be—will be satisfied until we have destroyed the last link which keeps Ireland bound to England.”

Now, my Lords, some years afterwards Mr. Parnell repudiated the last sentence of that speech. He was immediately confronted with the reports of the speech which had never been in any way qualified or repudiated, and, as far as the evidence goes, I think it will be found that except on that one solitary occasion, Mr. Parnell never denied that that was a correct report; and I shall show your Lordships that one ground for the temporary quarrel between Mr. Parnell and Mr. Ford was that Mr. Ford contended that Mr. Parnell was wrong to deny that sentence in his speech, and that it was unwise and unnecessary to disavow that particular passage. That was a speech published in the *Irish World* for the purpose of getting money. It was printed in the *Irish World* and circulated in America in order to induce the Irish people in America to subscribe to the movement. I shall be able to produce copies of the *Irish World* and to show that that speech was referred to subsequently,

and that the *Irish World* fund was one of the largest from which the supplies of the Land League were drawn. I say, my Lords, it is perfectly clear, from what is known of and recognized as the necessity for drawing together the various strands of the organization so as to gather them into one rope—it is perfectly clear from what Davitt had said that Mr. Parnell could not have stirred in America unless he had made that speech. I ask your Lordships to remember that in one of the earlier speeches of Mr. Davitt he distinctly stated that their only goal was to bring about the complete separation of Ireland from England, and he would never allow that to be driven from his mind. It would indeed have been utterly useless to repudiate that main plank of the American platform, and then to expect American support. I have now a series of letters and telegrams to read to your Lordships which have passed between various representatives of the Irish Land League and Mr. Ford. I will only say letters, my Lords, because the system was that a letter was sent by post—and a letter posted on the 5th of a month would arrive in America about the 12th—and would then be printed in the following issue of the *Irish World* as a cablegram. In all probability the object of calling them cablegrams was to attach to them some little more importance. On May 5, 1880, Davitt sent this message to the Editor of the *Irish World* :—“Copies of the *Irish World* should be sent to all parts of Ireland. Bishop Moran, of Ossory (a nephew of Cardinal Cullen) denounced it and the Land League. May Heaven open his eyes to the truth! ‘Spread the Light.’” I have already called your Lordships’ attention to that expression and its peculiar significance, and you will remember that the “Spread the Light Fund” was a fund for spreading this pernicious literature in Ireland. In the year 1880 Mr. Davitt appears to have gone to America again, and in the course of a tour there he made several speeches, and certainly some of those speeches were worthy of him. My object in calling attention to these speeches is to show that these gentlemen were obliged to advocate, and did advocate, complete separation as distinguished from the destruction of landlordism, which was the topic in Ireland. On August 28, 1880, Mr. Davitt, in a speech at Chicago at the annual picnic of the “United Irish Societies of Chicago,” alluded to the seizure of the

forty guns by the British constabulary, and declared that the convulsion of horror which grew out of it was because the English Government knew there were men in Ireland to-day absolutely feverish to clutch hundreds and thousands of rifles, in order, not only to abolish Irish landlordism, but to consummate the hopes of Irishmen of abolishing something else. The penal code, he said, making it a crime to be an Irishman, had been established by Irish landlords, and the people of Ireland to-day in the face of the world were making it a crime to be an Irish landlord. In the evening of the same day Mr. Davitt referred to "the noble work of the Order both here and in Ireland, in its charitable as well as its political aspects. It had been the first organization, as such, that sympathized with the people of Ireland in the warfare against Irish landlordism. If necessary, he was sure that the hands which now dispensed charity would dispense blows to the enemies of Ireland, and that if the people there were ever in a position to strike a blow for independence the Order would nobly respond to their call." In using the words "the noble work of the Order," he referred to the Order of Hibernians—the "Civic and Military Organizations of the Ancient Order of Hibernians." Then, there having been a speech at the same meeting by Mr. A. Sullivan, Mr. Davitt made a further speech, in which he said :—

"The present conflict, if it could be avoided, would not be one of physical force. Ireland had not the means for that, and to engage in premature insurrection would be a mistake, and would be apt to alienate the common-sense people of America. But the Land League was not opposed to the cause of Irish independence. If Ireland was ever to become independent, however, she must socially emancipate her people by striking off the social fetters that bound their brains and muscles. When that was done Irish brain and muscle would carve out a pathway to Irish freedom." Then on September 4, 1880, at St. Louis, he said :—

"The practical question of the agitation was, 'How shall we abolish the landlords, and what shall we put in their place?' (Ories of 'Shoot them.'). No, that was not the remedy. He did not believe in shooting them; he would instead 'shoot' the system. Shooting landlords would not settle the question. If it would,

the question could be easily solved. They had no right to resort to such means, and by doing so they would alienate the sympathies of the American people and of all other peoples. . . . As to compensation to the Irish landlords, he was a good deal like Redpath, of the *New York Tribune*, who is doing such noble service by the exposition of the condition of Ireland in his letters from that country. Redpath declared that if the Irish landlords received the compensation due to them they should each be sent to prison for ten years. . . . If England desired to keep the peace in Ireland and preserve her rule, she will recognize the just demands of the Irish people. Otherwise, the world might some day be startled by some act of Sicilian vengeance that would cause it to stand aghast."

Then there is another speech on September 11 of the same year, at Kansas :—

"In addition to that we have, as you have already been told, declared an unceasing war against landlordism, not a war to call on our people to shoulder the rifle and go out in open field and settle the question that is now agitating Ireland. Although I am not opposed to a settlement of that nature providing I could see a chance of success ; but for the fourth time during the present century we have tried a physical struggle with England, and instead of hurting England we have generally hurt ourselves. Now I believe it is far better to meet on different ground, and to do battle in a different mode. And in declaring this war against Irish landlords—in not paying rent in order to bring down their garrison in England (*etc*)—we know we are doing a proper work. We are preparing the way for that independence which you enjoy in this great American Republic. At present, however, we are engaged in a peaceful revolution. . . . James Redpath, an American who went over to Ireland and travelled considerably in that country, and saw a great number of the impoverished and hard-working class of our people, declared in Dublin that the only compensation he would give the Irish landlords would be about three yards of rope, and, in an emphatic manner so peculiar to Americans, he declared he would make every one of them work three months to earn the rope before he would hang them. Now, I am not in favour of such severe measures as that, although

I think a little imprisonment visited upon them would improve their morals."

Assuming these reports to be substantially accurate—and they were publicly reported in the Press and in no way repudiated or disclaimed by Mr. Davitt—I do not think that after those speeches and utterances it can be suggested that the way in which they were endeavouring to organize in this matter was other, so far as the American section was concerned, than one which pointed to complete independence as their ultimate goal. I do not propose at the present time to trouble your Lordships with more detailed extracts—unfortunately I have a good many more extracts with regard to later incidents to which I shall have to refer—but I shall show your Lordships that in the year 1880 they were speaking of dynamite as the new political agent, and were describing the execution of Irish landlords as the execution of land thieves ; and this is important with reference to subsequent conduct. They were also recommending Irishwomen to throw vitriol upon the persons who came to execute the process of the law. I have not any instructions at the present moment as to whether or not that particular method of carrying on the warfare was known in Ireland before the year 1880 ; but be that as it may, upon the instructions I have before me such a kind of resistance had not been heard of before. It is significant with the "spread of the light" and the *Irish World* being sent to all parts of Ireland—it is important to notice that among the recommendations was one to Irishwomen to throw out vitriol on the bailiffs. I have no particular incident in the year 1880 with reference to the American connexion, but throughout that year it will be proved that the *Irish World* was being sent to and circulated in large numbers throughout Ireland, and I am instructed that it will be proved that it was circulated to a large extent by the Irish Land League, and that copies were to be found in the hands of the local branches of the Irish Land League. Further, my Lords, I think I shall be able to satisfy you that if these newspapers were sent direct, they were sent by an organization which was not unconnected with the Irish Land League or the American affiliated society. Now I should like to refer to two or three letters which seem to put that beyond doubt, and I will try to read them in order of

date. On February 2, 1881, Thomas Brennan, who was secretary of the Irish Land League, wrote the following to Patrick Ford :—

"The thousand pounds (£1,000) cabled this week by the *Irish World* is received. Its announcement was received with applause. The substantial aid and continued encouragement which we are receiving from our kindred and the friends of humanity in America are inspiring our people very much ; and in the name of the Land League I beg to tender to the readers of the *Irish World* and to all co-operators its sincere and most grateful acknowledgment."

On February 5, 1881, Mr. Parnell telegraphed :—

"The Land League has scored a victory. The ten-to-two disagreement of the jury, in face of the tremendous pressure of the Court, is everywhere accepted as having the force of an acquittal. . . . Thanks to the *Irish World* and its readers for their constant co-operation and substantial support in our great cause. Let them have no fear of its ultimate success."

I should think that was in reference to the State trial which had just taken place.

THE PRESIDENT.—To whom was that telegram sent ?

THE ATTORNEY-GENERAL.—To Patrick Ford, of the *Irish World*, my Lord. I hope your Lordships will understand that when I called it a telegram, I meant that it was sent by post, but was published as if it had been received by cable. It was dated from London, January 26, 1881, and it was published in the *Irish World* on February 5—nine or ten days afterwards. I do not know whether your Lordships will be of opinion that Mr. Parnell never read the *Irish World*, but at any rate he knew perfectly well of the subscriptions and of what was going on and was anxious that it should be continued. On March 9, 1881, Egan telegraphed from Paris. He had gone there because of Sheridan's or Mr. Davitt's arrest, I am not sure which. The telegram was to the *Irish World*, and ran as follows :—

"Let the readers of the *Irish World* and all friends of the Land League accept our warmest thanks for the noble work they are so bravely doing." About the same time, my Lords, the executive of the Irish Land League issued a declaration of its principles, and undoubtedly this declaration was intended for publication in America. I think it was issued in March, 1881, but it was published in America in April, 1881. In

that declaration they said :—" We hereby band ourselves together till landlordism, root and branch, shall be abolished." That declaration was sent over to America and published in the *Irish World* with the names of the executive of the Irish Land League attached, and, moreover, I think I shall be able to show that Mr. Davitt himself edited that declaration.

Mr. Davitt.—Inasmuch as I was in prison at that time, I hardly think it can be shown I did that.

The ATTORNEY-GENERAL.—I do not think, my Lords, that the interruption of Mr. Davitt is important. That fact can make no possible difference. It was an adroit but somewhat unnecessary interruption, because the names of the executive of the Land League are affixed to the document. If Mr. Davitt does not accept the principles of it, of course he will say so. However, I believe it will turn out that that was a document which Mr. Davitt himself had drawn up. On the 25th of May Egan made this communication to Ford, which was published on the 4th of June :—

" Gladstone is going to hell by rapid transit. The stupidity of his administration is paralleled only by its malevolence. It is amazing how any sensible man dares to pursue so hazardous a course. Such actions only serve to intensify the movement and to hasten the doom of the system which he is trying so desperately to uphold. Friends in America ! towards you we turn our eyes. England, too, is watching you. You are the Land League's base of operations. Realize the glorious possibilities of which you are capable ; be faithful to the banner of ' The Land for the People,' which is the initial principle in popular rights ; and with your brothers on this side of the Atlantic now gallantly struggling with landlordism in the *first stages of the revolution* show a bold and determined front to the foe, give the enemy distinctly to understand that you have enlisted for the war, and the success of the cause of Ireland is beyond doubt assured !" What was the struggle with landlordism in which they were engaging ? Of what operations was America the base ? At that time, in 1881, for a period of 18 months the Land League operations had consisted of boycotting, intimidation, and, where necessary, shooting people who took land from which another tenant had been evicted, and in some cases for paying their rents. I ask your Lordships whether it is more than the plain

and pitiable truth that it was a conspiracy organized in and connected with America, and that the people were asked to send in their subscriptions to assist in carrying on these "operations" of which America was the base. I think your Lordships will be of opinion that the history of the American section of the Irish Land League—which I think has never before been laid fully before the public, certainly never before a judicial tribunal—is worthy of serious consideration. If your Lordships are of opinion that there did exist these two organizations so linked together, the allegations that I have made this morning, and to which I shall have to refer again later on, are not only proved, but might have been stated in language infinitely more strong than I have used or than appears in "Parnellism and Crime." On the 22d of June, 1881, published on the 2d of July, J. P. Quinn, the secretary to the League, writes :—

"We again appeal to the lovers of liberty and sympathizers with suffering humanity to send the *Irish World* to Ireland. The success of the cause is to be measured by the extent of the acceptance of its principles. When the *Irish World* is read in every hamlet in every county, it will be beyond the power of earth and hell to perpetuate landlordism in Ireland. 'More Light!'"

The suggestion is made, or may be made, that the Land League and the Parliamentary leaders of this constitutional organization had nothing to do with the *Irish World*. But they were ready enough to accept the subscriptions collected by the *Irish World*, and they were willing to teach the poor, miserable, half-educated people of Ireland the doctrines of the *Irish World*. One of the means by which they carried out their conspiracy was by the dissemination of seditious journals like the *Irish World* through Ireland, and is it to be wondered at that, assisted by the speeches to which I have already referred, the result followed in the crimes which I have detailed? On the 30th of June (published on the 9th of July) Quinn writes :—

"Thomas Brennan—bold and brave Brennan—has been removed from Naas prison to Kilmainham under a strong escort. I visited him, Dillon, and Kettle yesterday. All three well. Brennan reiterated his belief that a strike against rent altogether, cutting off the landlords' supplies completely (*sic*), as Ireland's only

hope for success, and I, his successor and your correspondent, heartily endorse Brennan, who speaks for the true apostles of the cause, every one of whom wants to see that movement go forward. The sole reliance of the cause now is the *Irish World*. Another 20,000 francs received Monday. . . . Men of America ! We depend more and more upon the *Irish World's* Light. Spread the Light and all else will follow, and you may be sure there will be 'No Surrender !',"

The "*Irish World's* Light" it was that got up those outrages without which this agitation, like so many previous agitations, would have dwindled away. Without the system of outrages the organization could not have intimidated the honest and hard-working tenantry of Ireland. On August 3 (published on the 13th of August) Quinn writes :—

"I had a lengthened interview with Brennan, Kettle, Sheridan, and Boyton on Saturday . . . All send their grateful thanks to the reformers of America, and appeal from their prison cells to send the *Irish World* into Ireland as the only preventative (sic) at the present moment of keeping the movement out of the hands of time-servers."

About this time there was a correspondent connected with the *Irish World* who wrote under the name of "Transatlantic," and whose real name, I believe, was Thomas Mooney, and who, according to the information we have received, appears to have been one of the worst scoundrels that ever lived. He is, I believe, dead now ; but one cannot help describing him as an infamous scoundrel who advocated the worst outrages. On the 12th of March this man wrote to the *Irish World* :—

"London, consisting of 4,000,000 of the wealthiest people in the world, is at the mercy of its criminal classes, who number a quarter of a million . . . ; Make a note. Spread the light ! O spread the light !" On the 24th of September, 1881, "Plenty of Kindling Wood in England" is the heading to another of "Transatlantic's" murderous effusions. The "kindling wood" in question, ready "to set the whole working population in a blaze," consists of "the farm labourers, the miners, the factory hands, the million of paupers, 186,000 imprisoned English criminals, the half million of uncaught criminals in England," and so on. I believe, as a matter of fact, that when the

Irish World is produced, much more in the same strain will be found to be contained in the different articles. It was found necessary about this time to send over another delegate to America, and a distinguished person was chosen—Mr. T. P. O'Connor.

The PRESIDENT.—Will you give us the Christian names? You have already told us there were two Mr. T. P. O'Connors.

The ATTORNEY-GENERAL.—This was Mr. Thomas Power O'Connor, the present member of Parliament. There was also another Mr. T. P. O'Connor, of Illinois, whom subsequently *The Times* confused with Mr. T. P. O'Connor, M.P., attributing to the latter a speech made by the former. Mr. T. P. O'Connor was sent out by Mr. Parnell as his representative. Mr. Parnell, as appears from the *Irish World* of October 1, 1881, telegraphed to Mr. Patrick Ford:—"Mr. T. P. O'Connor will start for America early in October, and will represent my views and those of the Irish organization." I mention this for the purpose of making it clear that the statement of Mr. Parnell that he had no relations with Mr. Ford is absolutely untrue. Shortly before Mr. O'Connor left for America, Quinn, the secretary of the Land League, writes on the 5th of October (published October 15):—

"Numerous applications are daily received at the Land League Executive office for copies of the *Irish World*. I appeal to our friends in America to furnish us with as many copies as they can, so that we may be able to meet the constant demand for it. Its circulation just now can be of immense service to the cause."

I do not know whether I am going too far in saying that your Lordships can have no doubt that the *Irish World* was circulated in Ireland by the Land League, and under these circumstances it is difficult to see how they can disclaim all connexion with this seditious literature. Your Lordships will not have forgotten the date of Mr. Parnell's arrest—namely, the 13th of October, 1881. On the 14th of October Egan telegraphs to Ford from Paris:—"Again Gladstone and Forster are at their work of cowardice, meanness, and treachery"; and on the same day Ford telegraphs to Egan:—"Meanwhile it would be well for you to keep out of Ireland." In a telegram to Egan, dated the 17th of October, Ford says:—"Communicate with Parnell if

possible, consult with your colleagues, and then issue a manifesto. No rent." To which Egan replied :—" Your suggestion is approved. Prompt measures are now in progress to procure a general strike against rent. The manifesto will be issued without delay. It is the only weapon now that remains in our hands." Mr. O'Connor went to America, as I have said, and he attended the Chicago Convention. Mr. O'Connor, it appears, considers that he has been libelled by *The Times* because it was stated that he attended and made a certain speech at the Convention of 1886; when it was not he but the other Mr. T. P. O'Connor who made it. But Mr. O'Connor at any rate attended the Convention of 1881. There were also present at the Convention Breslin, a trustee of the Skirmishing Fund, the Rev. Thomas Conaty, John Devoy, the Fenian, Miss Ellen Ford, John Finerty, dynamiter, Mr. T. M. Healy, Mr. Alexander Sullivan, Rev. Eugene Sheehy, Dr. Wallace, and a man named Mackay, who took the name of Lomasney, and had been previously tried for murder. He disappeared at the time of the London-bridge dynamite explosion, and it is supposed perished in that explosion. Among those who received Mr. O'Connor was Dr. Wallace, who afterwards made a speech, reported in the *Irish World*, complaining of the persons who apologized for the Phoenix Park murders. Mr. T. P. O'Connor, replying to the speeches welcoming him, said :—" What is the English Government based on ? It is based on murder, rapine, violence, confiscation, sacrilege, buckshot, bayonets, and flying columns ? Oh, that these latter were to meet the Irish people of America ; then indeed there would be flying columns !" Mr. T. M. Healy and the Rev. Eugene Sheehy were sent out to supplement Mr. O'Connor's work. On the 10th of November the initial meeting of the Convention was held at the *Irish World* office. Mr. O'Connor, Father Sheehy, Mr. Healy, and Mr. Finerty were present. Mr. Finerty said :—" Ireland is nothing less than England's bitterest foe, and we are nothing less than Ireland's unpurchasable and uncompromising allies." Mr. O'Connor speaking, not at the Convention, but at a reception that was held, said :—

" The landlord has not got any rent from the 10,000 who are ejected from the farms, and he is not going to get any rent. (Applause.) What becomes of the 10,000

farmers meantime? We will put the tenants near (*sic*) these farms as we possibly can. They like to have a glimpse of their old home, and if I was an agent of an insurance society, I would not like to have my whole organization and corporation dependent on the 10,000 farmers who will go into the farms that the other 10,000 have been evicted from."

Now what did this mean? It meant that a land-grabber was not a person who led a very desirable life. It clearly indicated the policy that was being pursued in Ireland of making the occupation of certain lands practically an impossibility. Father Sheehy also spoke, and said :—

"I want to tell you here to-night, assembled delegates of the Irish-American race in America, that we face landlordism, and aim at its utter destruction, but only as a stepping-stone and as a means to a greater and a higher end. . . . Will you be content to go on paying what is called a fair rent—an abomination, a crime, not alone against modern civilization in Ireland, but against common sense, and a blasphemy against God? I stand here to-night a teacher of morals. I weigh the words I utter. I face the responsibility of every word. . . . In France landlordism was swept down and crushed utterly into powder by the armed hand of revolution. If any gentleman will undertake the commission he will have my benediction. I look also into their hearts and I see a burning love of Ireland and a burning hatred of England. I do not measure my words where there is a question of England. I say that there is only one enemy on this earth of Ireland, and that enemy is England. . . . I have asked Americans why you who are not born in Ireland, who do not hope to see Ireland, why is it you are into this? It is not so much love for the old country, as hatred of that country's enemy. It is the two feelings combined that nurse the hopes, nerve the resolves, and fire the souls of men, and nerve the arms of men to have a blow at England."

Our charge is that the Land League organization was in association with an organization that was established in America for the attainment of objects by practices absolutely wicked. It will not remove the sting of the charges and allegations made to say that such views might be advocated *bond fide* as political views. We are dealing with the way the funds were

obtained in America, and that was by advocating the gross transgression of the law. Mr. Healy said :—

“ For what is the business for which this Convention has assembled ? It is the purpose of revenge as I take it ; revenge upon the enemy which drove you and your fathers forth from your own land. (A voice, ‘ Quite right,’ and applause.) . . . I am in favour of no rent, not merely as a temporary policy, but for all time.” A resolution was carried that—“ This Convention declares English rule in Ireland to be without either legal or moral sanction.” Egan telegraphed to the Convention :—“ In the name of the Irish National Land League and Labour and Industrial Union I greet the great Irish National Convention at Chicago.” *The Times* has said, and *The Times* repeats, that this whole organization found its source in America, and I venture to think that if I establish that these speeches were made and so treated by Mr. O’Connor and Mr. Healy, your Lordships will have no difficulty in coming to the conclusion that the real headquarters of the Land League were not in Dublin, but at Chicago. Dr. Betts, the president of the Convention, in presence of Mr. O’Connor and Mr. Healy, said :—

“ Gentlemen, I have a message for you. There are certain grave reasons—reasons that are quite satisfactory to us—and would be if they were known to you, which prevent Mr. O’Connor and Mr. Healy from responding to our loving invitation now, and I trust that every Irishman here will understand that when gentlemen such as Mr. O’Connor and Mr. Healy say that there are reasons why it is better that they should not address an Irish National Convention assembled in Chicago, it ought to be satisfactory, and it is satisfactory to every man.”

It seems, therefore, that at the actual meeting of the Convention neither Mr. O’Connor nor Mr. Healy spoke. But they sat on the platform and listened to the various speeches. Coming now to the year 1882, we find further applications for the despatch of copies of the *Irish World* to Ireland. On the 11th of March, 1882, Brennan sent a message which was published in the columns of the *Irish World* :—“ By all means send the *Irish World* into Ireland. Its power for good is wonderful.”

SIR C. RUSSELL.—Brennan was then in Kilmainham. The ATTORNEY-GENERAL.—Oh, yes ; but that makes

no difference. William O'Brien, it was found, edited *United Ireland* when in prison at Kilmainham almost as effectually as before he got in. Your Lordships will remember that the terrible Phoenix Park murders took place in the month of May, 1882, and your Lordships will not forget that there was published under the signature of Mr. Parnell, Mr. Dillon, and Mr. Davitt a manifesto expressing regret at those murders. Nor will your Lordships forget that Egan telegraphed that he would resign if any of the Land League funds were offered as a reward. The view that these murders were to be condemned was not shared by the American section who met Mr. O'Connor and Mr. Healy. A meeting was held at New York on May 27, 1882, which is reported in the *Irish World*, at which Dr. Wallace, to whom I have already referred, was present. This was the Dr. Wallace who welcomed Mr. O'Connor on his arrival in America. A speech was made by Mrs. Parnell, the mother of Mr. C. S. Parnell, in which she said :—

“ I think I agree with others that we have been a little too much in a hurry to deprecate the odium of the assassination which has been fixed on us. But times have been so critical that we cannot blame anybody for this. We certainly cannot blame the leaders on the other side the water, when we see the monstrous Coercion Bill born out of the head of Mr. Gladstone.”

A Dr. Maguire moved a resolution as follows :—

“ Resolved,—That the employment of brute forces, whether by the dagger of the assassin or by organized military power, and by whomsoever used against the unarmed and defenceless, as instanced respectively the murders of the secretaries, and the slaughter of innocent women and children at Ballina and elsewhere, is a crime against humanity.”

It was upon this resolution that Mrs. Parnell spoke. Then Major Horgan moved an amendment :—

“ That, while it may be deemed a matter of expediency to express regret for the slaying of Cavendish and Burke, we, the Irish exiles of New York, in mass meeting assembled, express our greater regret that England should still continue her old practice of murdering our people in Ireland by buckshot, by bayonet, and starvation, and it is deemed more becoming that we, the representatives of the Irish race in

this great metropolis of America, should express our sympathy with Gladstone's murdered victims of eviction, than by pandering to the wishes of the Lord Norths of to-day, who are the worthy descendants of the butchers of the Wyoming and Cherry Valley massacres in our own fair land, and of Drogheda and Wexford in the land of our birth."

Dr. Wallace said he agreed with Major Horgan's sentiments, but repudiated his suggestion that the resolutions condoled with the British Government. Both the resolution and the amendment were agreed to. On October 28, 1882, Mr. E. J. Rowe, whose name ought to have been included in the particulars, was interviewed, and is reported in the *Irish World* to have said:—

"The present Coercion Act is one of the most brutal and bloody measures ever passed to crush a people, and I say that for every murder perpetrated by British officials in Ireland, such as that of Patrick Walsh at Galway, a member of the Royal Family (so-called) or a British Minister should bite the dust. The echoes of dynamite explosions in England's manufacturing and commercial centres will be the signal for Ireland's freedom. Devastation could be spread throughout the length and breadth of England in a night, and it should be done. Oh, that the *Irish World* would again start a skirmishing fund!"

Is it possible to imagine a more iniquitous suggestion than that? I ask your Lordships what would be your opinion of an organization which considered it legitimate to spread, and used its efforts to spread by means of the *Irish World*, such views as those in Ireland? And yet I shall show your Lordships that at meeting after meeting persons charged in the particulars associated with men who were advocating such views as these—nay, more, expressed their own views of the means by which their policy should be carried out. It is not necessary to point out the distinct invitation which such language contains to use dynamite for the purpose of destroying the towns of England by starting another skirmishing fund, the previous Skirmishing Fund having been started by the *Irish World* for exactly similar purposes. In the *Irish World* of October 28, 1882, there appeared the following, signed by "Transatlantic":—

"Already the cry of vengeance against landlordism

has laid low many of the land-robbers. Within three or four years there fell in the 'land war' on the landlords' side—Lord Leitrim, Lord Mountmorris, Lord Cavendish, Secretary Burke, Mr. Herbert of Kilkenny [Killarney], Mr. Bourke, Loughrea, his military protector, Blake of Loughrea, his bailiff, Boyde of Kilkenny (Boyd of New Ross?), Wheeler of county Limerick, together with some 40 to 50 bailiffs and informers. On the people's side only two have yet been hanged, and not over ten are in penal servitude for terms of five, seven, and 14 years. These may be amnestied sooner than the land-robbers imagine. . . ."

I appeal to your Lordships' judgment. Can you wonder that "Transatlantic" should have been denounced as one of the greatest ruffians and scoundrels who ever attempted to strike terror in the public mind? Can anything be more horrible than this kind of preaching to the unfortunate tenants that the landlords and bailiffs and informers who are shot fall in warfare; that there have been many of them killed; that only two persons have been killed on the people's side, and two sentenced to penal servitude, who, it is added, will probably be amnestied? Can anything be more horrible than this constant exhortation to do the work of Allen, Larkin, and O'Brien? This constant reference to the persons who are carrying on the war is exactly the kind of language which the American section desired, and which would be used with a view to forward their plan of complete separation. It has often been said that the most absolute and complete exposition of the policy of the Land League is contained in the memorable words spoken by Mr. Gladstone in February, 1882, when he pointed out that "crime had dogged the steps of the Land League, and that the sanction of boycotting was the murder which was behind it, and which was not to be discovered." That is the point—the murder which was not to be discovered. What was the meaning of the observation to which I have just drawn attention—that on the people's side only two men had been hanged? The gist of the observation was that all the others who were guilty had escaped from justice. Mr. Biggar told the people, "If you are charged with shooting a landlord the Land League will take care that you get a fair trial," and we find that criminal after criminal was

defended at the expense of the League. This is the organization that has nothing to do with outrage ! It would be impossible to exaggerate the wickedness, the guilt of men who continued in connexion with people who advocated the dreadful views which I have laid before you. I will show your Lordships that the matter was brought to the notice of Mr. Parnell as far back as 1882 and 1883, and that his representatives, nevertheless, continued to go to America and to associate with the people who held these views, and that sums of money were still received from Patrick Ford and the *Irish World*. If it were possible to feel respect for any one of those concerned, one might almost feel more respect for the men who openly avowed these views than for men who take advantage of the results of this teaching, while pretending to disapprove it. In November, 1881, *United Ireland* published the names of the editorial staff of the *Irish World*. The following extracts are taken from the issue of the 26th, which reports the arrival of Father Sheehy and Mr. Healy in New York :—

“ The steamer *France*, on which the distinguished gentlemen sailed from Havre, was due Tuesday, but long before dawn a representative of the *Irish World* was on his way to the France. He was not long in finding Father Sheehy and Mr. Healy, and in greeting them in the name of the Irish people of America. Mr. Healy responded with a few appropriate words, after which the procession took up its way to the Fifth Avenue Hotel, whence Father Sheehy and Mr. Healy drove to the residence of Mr. Patrick Ford.”

“ The editorial staff of the *Irish World* comprises foremost men of the Irish race and ablest pens of the Labour movement, viz. :—‘ Transatlantic,’ Michael Davitt, Thomas Ainge Devyr, Thomas Brennan, Rev. J. Behan, of Ireland, R. Shelton MacKenzie, LL.D., Prof. Henry Appleton, Henry George, ‘ W. M. C.,’ Joseph P. Quinn, Anna Parnell.”

“ The Land Agitation in Ireland is directly an offshoot of *Irish World* teachings. Michael Davitt, the founder of the Land League, and Thomas Brennan and Joseph P. Quinn, secretaries, are its special correspondents.”

In the autumn of 1882 Mr. Redmond, M.P.—I think Mr. John Redmond, but I am not quite sure at this moment—was in America. and at about that time. or

rather earlier, there were several references, to which your attention will be called, to Mr. Ford's plans for laying London, Liverpool, and other English towns in ashes. Of course there was a great deal of exaggeration about the matter, but it was part of the teaching that brought support to the Skirmishing Fund. On March 3, 1883, the following description appeared in the *Irish World* of P. J. Sheridan, against whom a warrant was out in connexion with the Phoenix Park murders, and who had fled from England :—

“ Mr. Sheridan was one of the first to jump into the ranks of the Land League. . . . He went about organizing, doing a wonderful work in that way, and causing him to be brought forward as one of the 14 traversers in the famous State trials that marked the commencement of the land agitation. After the failure of the Government in this, Mr. Sheridan returned, went to his work of organization, and continued at it until again stopped by arrest under the Coercion Act. After six months in Kilmainham he was released. While going on with his usual labours of speaking and organizing he was suddenly called to Dublin to attend a meeting of the executive, only to find Parnell arrested and the League about to be suppressed. He assisted in issuing the No Rent manifesto, and was given the books to carry away and open offices in England, which, finding to be impossible, he started for Paris, where Treasurer Egan had reached before him. Here he, with others, established the Land League headquarters and carried on the work through the Ladies' Land League and other agencies up to the New Departure, when he came to America and has since been connected with the editorial staff of the *Irish World*.” In considering the circumstances of this time we see a strange exemplification of the old proverb as to the way in which persons of the same habits congregate together. It is curious to hear of Sheridan, the organizer of the Land League, a person who was suspected of having been connected with the Phoenix Park murders—it is curious to find that he is at once employed on the staff of the *Irish World*. Surely this was most natural, most fitting, if the views of the proprietor of the *Irish World* were in consonance with Sheridan's practices when on this side of the Atlantic. On March 31 it was stated in the *Irish World* that there had been a demonstration at Turner's-hall, in New

York. At that meeting O'Donovan Rossa and Finerty spoke, and expressed sorrow because the London dynamite explosion had not been more successful. Your Lordships may think that a small matter to refer to; but, keeping in view the other things to which I have drawn attention, you will see that I have a reason for doing so. It emphasizes the fact that Mr. Parnell was perfectly well aware that Finerty was an advocate of dynamite. On April 25, 1883, the great Philadelphia Convention was held. There were present, among others, Brennan, F. Byrne, Mrs. Byrne, Boyton, Condon, Devoy, P. Egan, Finerty, J. H. Parnell (Mr. Parnell's brother), Mrs. Parnell (his mother), J. Walsh, and O'Donovan Rossa. It is very significant that in April, 1883, barely six weeks after the discoveries in reference to the Phoenix Park murders, you should find in America so many persons who had been intimately connected with the organization which had promoted outrages in Ireland. You know now the names of Brennan, Byrne, Boyton, Egan, and Sheridan. It seems to require some explanation how it was that all these gentlemen suddenly went to America about the same time, and how it was that, when in America, they all worked in conjunction with the men who had joined in doing what I have described and whose expressions would show that their opinions were of a violent description, and their aims not altogether legitimate. I think I shall be able to show that there were distinct references to what passed at this Convention at some of the subsequent meetings of the Land League organization. What did pass? On April 26 Mr. Parnell wrote, or there was read, a letter of that date, sent for the purpose of being read at the Convention. The following are the contents of that letter:—

“My presence at the opening of the most representative Convention of Irish-American opinion ever assembled being impossible, owing to the necessity of my remaining here to oppose the Criminal Code Bill, which re-enacts permanently the worst provisions of coercion, and which, if passed, will leave constitutional movements at the mercy of the Government, I would ask you to lay my views before the Convention. I would respectfully advise that your platform be so framed as to enable us to continue to accept help from America, and at the same time avoid offering a

pretext to the British Government for entirely suppressing the national movement in Ireland. In this way only can unity of movement be preserved both in Ireland and America. I have perfect confidence that by prudence, moderation, and firmness the cause of Ireland will continue to advance, and though persecution rests heavily upon us at present, before many years have passed we shall have achieved those great objects for which through many centuries our race has struggled."

Here we find Mr. Parnell addressing "the most representative convention of Irish-American opinion." If these persons formed the "most representative convention of Irish opinion," that title was given to persons who openly avowed that they were willing that dynamite should be used, and who associated with people who had been unable to remain in Ireland in consequence of the part which they had taken in the murders which were then forming the subject of inquiry. This "most representative convention" would not be inaptly described as representing dynamitards and Fenians on the one side, and the accomplices of men who had been guilty of outrage and murder on the other. If that was "the most representative convention of Irish opinion," you will be able to form a judgment as to the real bonds of union which bound together the two sections of the organization under the *régime* of the men to whose names I have referred.

At this point the Court adjourned for luncheon. On its reassembling,

The ATTORNEY-GENERAL resumed,—The Philadelphia convention was addressed by James Mooney, who said:—"To our great disappointment he (Mr. Parnell) cannot be here to direct and inspire our labours. In unfriendly quarters it is sought to make it appear that he fears to join us, lest words spoken or action taken in our convention might compromise him. Such statements are pure falsehoods. . . . Though he is not here we have to direct our labours to the plan approved by him of the new National League in Ireland. This, together with many forcible expressions of his views that have from time to time reached us, will enable us still to work under his guidance. Then, too, we have to aid us by wise counsels Patrick Egan, to workers and organizers hardly second in importance

to Parnell himself in the successes already achieved. . . . We are here to-day, chiefly to reorganise upon the same basis as that upon which the new National League in Ireland stands. We shall have the great advantage of the advice and suggestions of one who helped to inaugurate that body." (This probably refers to Brennan.) . . . "In spite of England the Irish-Americans will be a most important factor in the Irish question till that vexed question shall have reached solution. . . . It has been truly said of us that we 'hate England with an intensity of detestation unequalled by any class of Irishmen in Ireland.' . . . We can speak, act, organize, in her behalf. To evolve a union in their interests from all the elements that make up our race in America, we are here assembled in this city, auspiciously named 'by brotherly love.' . . . In Charles Stewart Parnell the Irish people have a leader whose place in history will be a proud one. . . . It is our desire to unite with the League he has established in Ireland, that we may strengthen and support him in the labours he has undertaken. Setting aside our present views, we must work under his guidance in such a way as to best support and least embarrass him. It is our hope to see him win for Ireland land law reform, local self-government, extension of the franchise, development of industrial interests; and if all these were done the day would surely dawn brighter for the realization of the hope that would spring up in every Irishman's heart, that under Heaven's blessing he might still lead on to that best and highest goal—national independence." Thomas Brennan (the secretary of the League) said:—

"It (landlordism) never can quench the light that has been spread among the Irish people, nor can it retard the consequent growth of Republican ideas. The war for Irish independence must go on. . . . The people may differ as to methods, but in essentials they are as one, and will so continue until the victory is gained."

Egan spoke, and after referring to the Ladies' Land League "under Miss Anna Parnell," said:—

"While Mrs. Moloney, the president of the Ladies' Land League, would work 14 or 15 hours a day in their office, Miss Parnell, Miss Moore, and Miss Reynolds, who is now in prison, were driving over the roads and bogs. on side-cars, carrying comfort and

assistance to the evicted tenants. I again thank you for the noble support you have given this movement from the beginning. I believe that I can promise you that, under the leadership of Mr. Parnell, with your assistance, the glorious goal of Irish independence is near at hand."

Then Alexander Sullivan spoke. He was president of one of the American branches of the Land League and also president of the Clan-na-Gael in America. He said:—

"When we contemplate the intensity of the passion which animates it (i.e., this assemblage) for the sole object we have in view, and the diversity of honest opinion concerning the methods by which that object may be accomplished, it is meet that we should (pray) ! We are restrained at the same time from stepping outside the functions of auxiliaries, to the patriots who are heroically struggling at home and in an alien and hostile Legislature in the vain hope of awakening the long-suspended conscience of a powerful and brutal foe We have met, neither on the one hand to dictate to our brethren in Ireland, nor on the other hand to apologize to their and our common enemy for anything. We have met to organize and concentrate all the forces of our race, that their united strength shall be made potential in our national struggle. . . . In the spirit in which Robert Emmet died we live; in his words, we are, 'determined on delivering our native country from the yoke of a foreign and unrelenting tyranny,' and 'to place her independence beyond the reach of any power on earth.'"

I desire to point out to your Lordships, in connexion with these speeches, that there are three names constantly referred to of past patriots in the Irish cause; they are Wolfe Tone, Emmet, and Lord Edward Fitzgerald; none of those speakers referred to O'Connell or to Butt. O'Connell was opposed to physical force and the shedding of blood. It is significant that at those meetings you find a reference to the first three names and not to the others; they support physical force as distinguished from any Parliamentary work. I mentioned to your Lordships the names of the persons who had escaped. I think I should also tell your Lordships that Brennan had not remained in England even up to that time, but went to Palermo.

Sicily, and it was from Palermo that he had gone to

America. There were several references made to the visits of other persons to America. One of those persons was Mr. Matthew Harris. He "called (of course) at the *Irish World* office, and was cordially greeted by many friends there," and it is reported in the *Irish World* that Mr. Ford stated to Mr. Matthew Harris "that what some people chose to call the Phoenix Park murders," he no longer thought a crime, but from an Irish standpoint he considered it an execution and not a murder. The statement of Ford was reported in the *Irish World* on June 23, 1883, and Mr. Matthew Harris was the person who was interviewing Ford in connexion with that statement which he then made. On June 30, 1883, there is a reference made to Caffrey in the *Irish World*. He was the fifth man hanged for the Phoenix Park murders. I desire to tell your Lordships, in connexion with the Martyrs' Fund, that because Caffrey had confessed his guilt and expressed his contrition, the *Irish World* stated that, inasmuch as he had apologized for what he did and tried to explain it away, he thereby succeeded in depriving himself of all sympathy, and Caffrey's relations were excluded from participating in the Martyrs' Fund and the distribution of the money collected for the families of the men condemned for the Phoenix Park murders. There is an incident also reported in the *Irish World* which will place the matter in even a stronger light as to the reasons which led to that exclusion. On July 2, 1883, there was a New York Martyrs' meeting, and I should like to tell your Lordships who were present at that meeting—Frank Byrne and Mrs. Frank Byrne, Patrick Ford, O'Donovan Rossa, P. J. Sheridan, John Walsh, and Hamilton Williams. I mention those names; there are others about whom I am not able to give your Lordships any information. Sheridan was in the chair. The meeting was called to pay homage and honour to the murderers of Phoenix Park. At that meeting Frank Byrne, the secretary of the English Land League, who had escaped to America in 1883, made a speech. "I am not," he said, "fastidious as to the methods by which the cause of liberty may be advanced. I do not say you should alone use dynamite or the knife, or the rifle, or Parliamentary agitation"—your Lordships will observe the position in which Parliamentary agitation is put—"but I hold no Irishman true

who won't use all and each method as the opportunity presents itself." At a Martyrs' meeting held at Chicago on the same day John Finerty spoke and was reported in the *Irish World*. He said:—

"Ireland at home went to the length of repudiating the act, but her thanks was the passage of the most infamous Coercion Act that Ireland had ever known. There were cities in America that met and repudiated. Chicago never did. They were asked to be ashamed of this act that was committed in Dublin under the impulse of persecuted desperation. They were told if the blow had fallen on some other it would not meet with this condemnation; that Lord Cavendish was an innocent man. In a sense he was an innocent man who died for the crimes of others. . . . They met for the purpose of showing that, although these men committed the act (if they did)—as regarded Cavendish it was not premeditated, as regarded Burke they said nothing—they were less guilty, less cowardly, less treacherous than the English Government that used what it called 'a Constitutional system' to hunt and hang boys on the testimony of hired informers. . . . For his own part, he had never apologized for any act the Irish people had committed, and never intended to. He was sorry that a worse man than Cavendish was not in his place. If England had minded her own business, and Cavendish when he came over as a messenger of peace had been found in the company of a friend and not an enemy of Ireland, he would have been living to-day. He died because he was in bad company—was with Thomas H. Burke, the Fouché of Ireland. . . . He hoped to live to see the days when Ireland would have her own flag and be recognized by all the other nations as worthy of being a sister and a peer. Although he didn't believe Parliamentary agitation would accomplish much, still he was willing to go with them; and, as a piece of good news, he announced the election in Protestant Ulster of Timothy M. Healy."

I shall show what the continued relations were between Finerty and the representatives of Mr. Parnell long after Finerty's character was publicly known and admitted by Mr. Parnell. So far as regards the year 1883 I do not think I have anything further to announce with regard to the *Irish World* except the constant receipt of money, which I will take

separately. There were many statements in connexion with the Martyrs' Fund. On September 1, 1883, speaking of the Martyrs' Fund, the "martyrs" were stated to be the Phoenix Park murderers, and the money was to be collected for their families "as an incentive to other men to dare and do likewise for Ireland." Your Lordships will not forget Mr. Parnell's expression in Parliament of his feelings with regard to that murder. Genuine as those feelings may have been, they did not prevent him from associating with men who expressed very different feelings with regard to what occurred in the Phoenix Park on May 6, 1882. On September 8, 1883, Finerty made another speech. He said:—

"Honest John Mitchel used to say that he was sorry the Irish people had not shot half enough Irish landlords; he would go further, and deliberately say that he was ashamed of the Irish people, if they had powder and shot, they had not shot them all. The whole Cabinet, the Lord Lieutenant, the Chief Secretary, the Privy Council, were all guilty of murder, and if any man could have power to place them all beneath a single guillotine, and lop their heads off at once, that man would be justified in the sight of God and man." Your Lordships will remember the O'Donnell Defence Fund, which was referred to in some of the extracts which I quoted yesterday. It was collected for the defence of O'Donnell, who shot Carey. In order to promote subscriptions to that fund, there were references to it, and this was the way in which the Rev. George W. Pepper advocated the cause of O'Donnell:—

"If Ireland possessed 5,000 such men, magnificently gifted men like O'Donnell, her deliverance would be achieved. His shot has reverberated round the world, making English tyranny tremble. The storm raised by the mighty spirit of that heroic man, I trust in God, will tear up, root and branch, traitorism to liberty in my native land."

The Rev. George W. Pepper was a Methodist minister. My Lords, with reference to the man "Transatlantic," several of whose utterances or writings I read to-day. I think it will appear, upon the statement of Mr. T. P. O'Connor himself, that "Transatlantic" was the first subscriber to the Land League, and that statement is made by Mr. T. P. O'Connor on the authority of Mr. Parnell himself. I only mention that for the purpose

of showing that it was very well known who "Transatlantic" was. On September 20, 1883, there was a meeting in Chicago to receive Daniel Curley's widow—that was the widow of the man who had been hanged for the Phoenix Park murders—and Finerty again made a speech. He said :—

"He was proud to meet and to greet with them upon that platform the widow of the brave and unfortunate Daniel Curley. . . . It did not become any Irishman the world over to apologize for any act committed by his outraged countrymen against that infamous Government. . . . The speaker then said that although his audience and himself might approve of sterner means to effect the liberation of Ireland, if they were immediately available, still they owed a tribute of respect, obedience, and admiration to that great man who had arisen as a morning star on the horizon of Irish politics, Charles Stewart Parnell."

On October 13 of the same year the *Irish World* published a lecture by P. J. Sheridan, in which he stated he was in favour of "a well-directed scientific warfare—dynamite and tri-nitroglycerine." This man, it will be remembered, was the chief organizer of the Land League, and at this meeting some of the gentlemen named in the particulars were present. I now come to the year 1884, and your Lordships will find that anniversaries were not confined to the Phoenix Park murders. On May 14 a meeting was held to celebrate the anniversary of the execution of Brady, the man who was supposed to have struck the blow which caused the death of one of the victims, and at that anniversary were present Frank Byrne, Mrs. Frank Byrne, P. B. Egan, O'Donovan Rossa, E. J. Rowe, and Dr. Hamilton Williams, and letters of regret were read from Patrick Ford and others. On that day two speeches were made—one by Frank Byrne, and the other by Dr. Hamilton Williams, Frank Byrne being the man who had been in the employment of the Land League. Dr. Hamilton Williams said :—

"He has given to us the weapon, the only weapon, that will be successful, and that is dynamite. . . . We can make the government of Ireland by England one of the most costly experiments that ever the frenzied and crazy imagination ever took in hand ; we can create such a condition of things that to every English Ministry, and every English official in Ireland, it will

be absolutely a living hell, and government will be a living death. . . And woe be to the time when any of the wretched Guelphs—the Queen's sons—or the Queen herself dare to put their or her feet on the streets of Dublin, for we mean to take the avenging knife that killed Caesar in the Senate House in Rome, and any man who refuses to recognize this means of dealing with the enemies of Ireland put him outside the camp and have no connexion with him. . . . Do therefore everything in your power to honour the memories and imitate the deeds of men who through good repute and bad repute proved a strong fidelity to principle and knew how to die."

On the same occasion he introduced Mr. Byrne, and said :—

" I have the pleasure of introducing to you a gentleman whom you will be all glad to hear. He has proved himself one of the wisest in council, one of the calmest in debate, one of the bravest that was ever found in the ranks of any revolutionary movement—I allude to Mr. Frank Byrne ; and should I forget to mention the name of Mrs. Byrne, a woman who shows she is as true as steel to all those heroic ideas of womanhood which typify the feminine character of Ireland."

Your Lordships may possibly remember that a statement was made in " Parnellism and Crime," on the authority of the *Irish World*, that Mrs. Byrne was the woman who had taken across to Ireland the knives with which were committed the Phoenix Park murders, Frank Byrne then spoke. He applauded Joe Brady's " noble act," and said :—

" There is one broad statement which I am prepared to make, and it is this, that it is the duty of the Irish people to kill every English official who comes into their country. I would ask you, are you in earnest ? If you want to honour Joe Brady's memory, if you want to imitate his example, you will have to work. I therefore ask those of you present who are prepared to follow the example of Joe Brady to stand up. . . . You who think there are men going from this country to do the work are mistaken. The men at home will do, and all they want is the money and the word of order. Give them the money, and the commands will follow, and the work will be accomplished."

O'Donovan Rossa spoke, and said :—" I hold that every Englishman who goes into Ireland for the purpose

of administering English law should be slain within 24 hours." The meeting resolved—"That they regarded all means looking to the destruction of foreign domination in Ireland to be justifiable and commendable," and "that they would sustain the Emergency Fund." That was a fund which Ford kept, and stated that he never disclosed how it was spent. It was intrusted to him, and he rendered no account of it. It was evidently intended for something beyond those funds which had an object which was disclosed. Then, my Lords, occurred the Boston Convention of August 3, 1884. At that convention there were present,—Rev. George Betts, T. F. Bourke, Patrick Egan, James Reynolds, Mrs. Parnell, W. E. Redmond, M.P., Mr. Sexton, M.P., Alexander Sullivan, and Dr. W. B. Wallace. Dr. W. B. Wallace welcomed Mr. T. P. O'Connor and made the speech I read to your Lordships a little time ago. I am sorry that, having two extracts of Sheridan's speech at the New York Martyrs' meeting, one of which is verbatim and the other more condensed, I read the latter. The verbatim extract is as follows:—

"Sheridan said the object of the meeting was 'to pay homage and honour to the men who have given up their lives in the cause of Ireland. . . . It has been stated that none but men devoid of all humanity would have recourse to certain methods for distressing an enemy not hitherto recognized in civilized warfare. What has brought up this discussion? The acts of a few brave and dauntless men, who, seeing it impossible to cope with the power of the oppressor by ordinary methods of warfare, loved their country too much to sit down in despair, and availed themselves of the advantages presented to them by the science of the 19th century to see if they could not do it by means hitherto untried. The men who have been murdered in Dublin were so convinced, and so acted. There is no human being here to-night who is not convinced that these men were guided by pure and noble motives. They had suffered no individual wrong at the hands of England. Such were the feelings that actuated those heroic spirits who were murdered on a scaffold in Kilmainham recently. I hold that men capable of those acts and motives are worthy to be placed on the roll of martyrs, side by side with the immortal names of Tone and Fitzgerald, the Sheares, and Emmet, Allen, Larkin, and O'Brien, and all the other noble spirits

that placed their lives on the altar of Irish freedom. So long as the love of Irish freedom lives the names of Joe Brady, Daniel Curley, Fagan, and the boy-hero, Timothy Kelly, shall be honoured by every Irish patriot. . . . They believed that so long as they could not contend against England with an army and a navy they had a right to have recourse to every means and any methods to put an end at once and for ever to the sufferings of the Irish people. For doing so I maintain that humanity is indebted to them, because their mode of warfare inflicted her suffering and will produce greater results to the oppressed than the ordinary one of whole destruction by regular armies. . . . What is the state of affairs after the explosions in London and Glasgow? It is patent to the world that the Press of all Europe has been awakened to a sense of our wrong by the explosions in question." . . . After saying that in Ireland "the ridiculous idea of facing England with the ordinary methods of war is totally discarded," Sheridan added:—"The present generation feel that if half the energy or the tenth part of the means had been applied to the practice of scientific warfare, Ireland to-day would have a different story to tell. . . . We hope by carrying the war into the heart of England and by having recourse to scientific methods which God has communicated to suffering nationalities to be able to inflict more in one generation of the present than in centuries of the past, and that not by the military action of patriot armies, but by the energetic resolution of a few earnest and practical men—men prepared to lay down their lives. One year of such warfare, prosecuted vigorously by men capable of directing it, would prove so efficacious a remedy for Irish complaints that we should have England on her knees begging us to let her alone. . . ."

My Lords, I was unfortunately obliged to go back to that speech because I had taken the wrong report. I was relating to your Lordships what happened at the Boston Convention. At the Boston Convention, there being present Mr. Sexton and Mr. Redmond, a variety of speeches were made, and among others one by Alexander Sullivan and by the Hon. M. V. Gannon. Alexander Sullivan called the convention to order (i.e., opened the proceedings). He said:—

“The memorable Philadelphia Convention organized

the Irish National League of America. It is the auxiliary of the Irish National League of Ireland. . . . The Irish National League, whose distinct and avowed purpose is the establishment of the sovereignty of the Irish people in Ireland, is the embodiment of that spirit of liberty. . . . The National League aims not merely at a reduction of rents, not merely at a change from idle proprietors to working proprietors, but at the creation of complete national life and the development of all the diversified industries which render a people self-sustaining and prosperous."

That statement, my Lords, as to the Irish National League of America being auxiliary to the Irish National League was made in the presence of Mr. Thomas Sexton, Mr. William Redmond, and Mr. Patrick Egan. Mr. Gannon, after referring to the war of American Independence, said :—

" And those who say to us Irish that we must be eternally attempting some crime in Ireland, and talk particularly when an exasperated Irishman lifts his weapon against a landlord who has ruined him, know too that on these historic fields Americans were fighting against this same enemy of Ireland, with liberty on their lips but bullets in their muskets. (Loud cheers and applause.) While we should support ardently, loyally, the constitutional policy laid down by our glorious leader, Mr. Parnell (cheers), yet at the same time we shall not go round with any lying lips, apologizing for any patriot Irishman's crime. (Hear, hear.) When they give back Francis Hynes and place him in the flesh, when they restore in life the murdered Irishmen of this past decade, then, perhaps, we may pass by on the other side and pretend there is a tear in our eye ; but until then it is not our time for crying. (Loud cheering.)"

I think, my Lords, it may prove that Francis Hynes had been tried and convicted of murder, if I remember right, before Mr. Justice Lawson ; but this was the way in which at this convention, in the presence of these gentlemen, the fate of a man who has been tried and convicted of murder has been spoken of, and other " patriot Irishmen's crimes " are not to be apologized for. At this convention resolutions were passed—

" That the Irish National League of America hereby

expresses its unqualified approval of the course pursued during the past year by Charles Stewart Parnell and the Irish Parliamentary party under his leadership, and pledges itself to support them by every moral and material aid in the contest which they are waging against landlordism and on behalf of Irish national independence, and to this end we commend the Parliamentary fund, recently opened by our executive for such purposes, to the generosity which characterizes our countrymen."

"That the gratitude of the Irish race is due in a particular manner to the executive of the League, Alexander Sullivan, for his unselfish devotion to the cause of Ireland, and that in his course he has shown consummate skill and exalted patriotism."

That meeting was addressed by Mr. Sexton. He said:—

"I am able to say that upon being selected by your committee on resolutions, I find myself heartily in agreement with every resolution, with every principle of those resolutions, which you have adopted without discussion. . . . We are now approaching the verge of a settlement which will . . . produce such a measure of popular comfort and of social independence as will render the will of the people irresistible, and will render it impossible for any Government any longer to delay or to defeat our claim for national independence."

There, my Lords, you have what Mr. Sexton and Mr. Redmond are obliged to say before this American audience when it is necessary to strengthen the bonds of sympathy existing between the two organizations. Well, if that be proved I do not know how it will be possible for any one to say that this American organization is not part of the same conspiracy as that which existed in Ireland, and that Mr. Parnell in drawing his supplies from these sources was drawing them from men who were in fact his allies, although they had preached such doctrines as the writings of "Transatlantic" and the speeches of Byrne and Williams and many others whose speeches I read this morning would excite? The statement is made in the *Irish World* of the 27th of September that Ford had collected \$15,000 for the purposes of having Liverpool, Manchester, and other towns in ashes. I do not know whether my learned friends will suggest that this was

all wild talk. It was not wild talk when the dynamitards came over to England and succeeded in causing explosions which caused death and injured people in various parts of the metropolis, to say nothing of explosions in other parts of the country. Now, my Lords, on the 6th of May, 1885, occurred in New York, and was reported in the *Irish World*, the Phoenix Park banquet. That was a banquet in honour of those who had to do with the Phoenix Park assassinations. The 6th of May, I think, was the exact date of it. Will your Lordships pardon me for one moment? There is one other matter I shall call attention to in connexion with Patrick Ford. On the 20th of April, 1885, a farewell reception to Mrs. Kenny, who was Miss Hannah Reynolds, was held, at which were present Mr. and Mrs. Frank Byrne, Mr. Ford, Mr. Augustine Ford, Condon, and several other persons whose names I will not mention. Miss Reynolds was one of the ladies of the Land League who had been doing the work during the time that Mr. Parnell and others were in prison. Her progress through parts of Ireland was marked by a succession of outrages—her path may be described as being a path of blood; and, if I remember right, some proceedings were taken against her in consequence of the acts of which she was proved to be guilty. Mr. Frank Byrne made this statement:—

“In my capacity as secretary of the Land League of Great Britain, I naturally became familiar with many facts concerning the noble work being done by the Ladies’ Land League, and I found that on every occasion where the practical portion of the work was to be done, Miss Reynolds was to be found in the forefront.”

That was reported in the *Irish World* of May 2, 1885. Mr. Forrester also spoke of Miss Reynolds at the same meeting. He noted the way in which Miss Reynolds had gone from village to village, “cheering the despondent, warning the wavering, threatening the cowardly,” and how when “it was necessary that the inmates of the next cabin should be . . . sternly instructed that it was their duty to pay no rent,” she had given that instruction. Now, my Lords, you will understand what was the knowledge of these gentlemen who approved of the conduct of the organization in Ireland during the time to which this referred. That was exactly the intimidation which has been practised, as

"we suggest, under the auspices of the Land League. Now, my Lords, I go to the Phoenix Park banquet, at which were present Frank Byrne, Mrs. Frank Byrne, I do not know whether Mr. P. Egan was there or not, as there are two Egans, but a Mr. Egan was present, Mr. E. J. Rowe, and Mr. John Walsh. A full report of this occurred in the *Irish World* of the 16th of May, 1885.

"On Wednesday evening, May 6, 1885, the Phoenix Park anniversary," says the *Irish World*, "one of the happiest Irish national reunions that has taken place in New York in some time, was held at the Sinclair-house, Broadway. The brilliant gathering of ladies and gentlemen included P. Egan, John Walsh, Austin H. Ford (chairman), Robert E. Ford, Edward J. Rowe, Judge M'Carthy, and other members past or present of the constitutional organization."

This incident was referred to in "Parnellism and Crime." It was a complimentary banquet "to one who was an important, though most unpretending, actor in the event that is marked by the 6th of May." The guest of the evening, in the words of Austin Ford, as he presented her with a "well-filled purse," was "a brave little woman, whose memorable courage in connexion with the victory in the Phoenix Park three years ago (prolonged applause) is known to us all." The "brave little woman's" name was Mrs. Frank Byrne. John Walsh spoke, and another speaker at the meeting spoke of Joe Brady (one of the Park assassins) as "the modern Coriolanus, who struck a great blow for liberty;" and Mr. P. Egan moved a vote of thanks "to Patrick Ford for his unswerving loyalty to the Irish cause." On the 23d of November, 1885, was the Manchester Martyrs' anniversary, and your Lordships will find that there were in these instances reports in the *Irish World* of these proceedings, at which these men, who had literally been convicted criminals, convicted of murder, were treated as being martyrs, captives, and persons whose example should be followed and imitated. There were present Frank Byrne, Mrs. Frank Byrne, several of the Fords, Mr. Parnell's brother, and Edward J. Rowe. Now, I told your Lordships that the *Irish World* showed sympathy with dynamitards by their speeches and their writings; but I think you will find that was by no means the only way. In 1885 they opened a fund in their columns for Burton and Cunningham. They were

arrested and tried, and, I believe, are now undergoing penal servitude for explosions in the House of Commons, the Tower, and the Underground Railway ; and this is the way they were spoken of :—

“ Whether Cunningham and Burton were or were not participators in the acts for which they are now suffering, they are entitled to the warmest sympathy of the Irish race. If it is true that they endeavoured by waging active war on England to force England to cease plundering and oppressing Ireland, they are martyrs of Irish liberty.”

My Lords, I scarcely think that your Lordships can be of opinion, in view of what the organization desired to obtain, by any means, however extreme, that it would justify the treatment of such men as either patriots or martyrs of their country. In September of the same year some money was sent for and acknowledged from the trustees of the Emergency Fund to Mr. Parnell, to enable him to purchase the interest in an Irish newspaper—a paper called the *Irishman*. That is a paper which was amalgamated with and practically ceased to exist when *United Ireland* held the field, so that there was no further necessity for the paper. The 5th of September, 1885, is the date of the report that the money had been sent over. But if it be true that Mr. Parnell was only holding *United Ireland* as a trustee for the Americans, who held the money, when you come to examine the position of Mr. Parnell and his friends they were to a great extent but puppets in the hands of the people who sent over the money, or they could not have commanded the American sympathy or got the American supplies. I now come to 1886. I shall call your Lordships' attention to the Chicago Convention of 1886. This is the Convention in respect of which *The Times* made a mistake, and said that Mr. T. P. O'Connor was present at that Convention, and Mr. T. P. O'Connor has such an opinion of the gentlemen who were present there that he alleges that it was a libel upon him. He does not object to his name being mentioned in connexion with earlier conventions, where the same policy was supported and the same persons were present. But it is a little significant that he should complain with reference to this particular mistake which was made in the columns of “ Parnellism and Crime ” with reference to his attendance at this Convention. This Convention, my Lords, is

of very considerable importance. The actual date of the Convention is the 17th or 18th of August, 1886. There were present at that Convention the Rev. George Betts, William O'Brien, John Redmond, and John Deasy; I think Davitt was present also; his name is not on the list before me, but I shall assume and shall state that he was there. There were also present Thomas Brennan, John Devoy, Patrick Egan, Patrick Ford, John Finerty, Mr. T. P. O'Connor of Illinois (which gave rise to the mistake), the Rev. George W. Pepper—that was a Dissenting minister, to whom I have already referred—E. J. Rowe, Alexander Sullivan, Dr. Wallace, and John Walsh. I call your Lordships' attention to the fact that Finerty was present at that meeting, and that he was recognized by Mr. Parnell as a dynamitard. I shall prove that when Mr. Finerty's name was mentioned in the House of Commons by Sir George (then Mr.) Trevelyan, in 1886, Mr. Parnell said that Mr. Finerty was a gentleman who was strongly in favour of dynamite, for the purpose, no doubt, of suggesting at that time that there was no connexion between him and members of his party and Mr. Finerty. That was in July, 1886. I shall be able, no doubt—

The PRESIDENT.—What was in July, 1886?

The ATTORNEY-GENERAL.—The statement in the House of Commons, my Lord; I apologize to your Lordships for making a mistake, it was on the 25th of May, 1886. Mr. Ford had come to Chicago at Mr. Redmond's special request, and had commissioned him to assist Mr. Davitt and Mr. O'Brien in framing the resolutions. Mr. Egan and Mr. Brennan spoke, and Finerty, the dynamiter, spoke at the Convention. He said that whatever Parliament might do for Ireland, they, too, had a long and a terrible account to settle with England. "Let the Irish in Ireland pursue, if they choose, their paths of peace, but if they (the American-Irish) could do anything to injure England, to annoy England, to keep her awake o' nights, they would and they ought to do it." He praised "the sword of the insurgent" and "the poignard of the assassin;" he begged the "constitutional leaders" "not to be apologizing for their relations with the American-Irish in the House of their common enemy"—no doubt referring to Mr. Redmond, Mr. O'Brien, and Mr. Egan, who were present; and hoped they would not

repeat the conduct of Mr. Parnell, who had expressed disapproval—namely, by withdrawing, or in any way going back as to any statement made as to the American connexion. Mr. Egan congratulated the meeting on its “good sense and unity,” and Mr. Michael Davitt deprecated a policy of unprofitable revenge. He believed dynamite to be unnecessary, “but he found no fault with Mr. Finerty or Mr. Sullivan for the sentiments they expressed.”

Mr. Davitt.—May I ask what paper the Attorney-General is reading from?

The ATTORNEY-GENERAL.—I am quoting from the *Irish World* of the 28th of August, 1886. I do not know whether or not the reports of the *Irish World* are supposed to be fictitious, or made by other than competent reporters. But if anything of the kind is suggested I am correct, my Lords, in saying that so far as the columns of the *Irish World* and *United Ireland* have been searched, there has not been a single correction or withdrawal or abandonment of any statement made, nor anything introduced or written to tone down or qualify it.

Mr. Davitt.—I only asked the question because *The Times* had a reporter present, and I should have thought the Attorney-General would have quoted from his report.

The PRESIDENT.—I did not catch the observation.

Mr. Davitt.—I was saying that I asked the Attorney-General from what paper he was quoting, inasmuch as *The Times* had a reporter at the Convention, and I should have thought the Attorney-General would have quoted from *The Times* report.

The PRESIDENT.—That is a fact which would be more properly introduced as evidence, and not by way of interruption.

The ATTORNEY-GENERAL.—My Lords, my instructions are that Mr. Davitt's information is not correct, but that we shall see by the evidence. My Lords, at the same meeting Mr. Davitt made a further speech. He said that former insurrections in Ireland had exclusively relied on Irish national sentiment. “But Irish national sentiment had not succeeded in winning Irish liberty. Recently they had added the power found in the desire of a people to improve them socially. They had to combine the whole Irish race at home and abroad in one vast movement. . . . They had to strike at and cripple the power of Irish landlordism—

England's territorial garrison in Ireland—before they could call into the field of action the full force of Irish manhood and Irish national sentiment.” At the meeting at which that speech was delivered a service of plate was presented to Mr. Patrick Egan, and a telegram was read from Mr. Parnell thanking the Convention, and declaring that “the ratification of our policy and action, the order, union, and moderation of the proceedings have created a profound impression here, and add great strength to our position.” I do not know, my Lords, whether in the face of these reports, after what happened in 1886, it will be suggested that the American section and the Irish National League were not still in close alliance, just as in 1881 the American section had been in close alliance with the Land League. I have stated, and I must make good that statement, that Mr. Michael Davitt openly referred to speeches in the *Irish World*, and I now refer to a letter written by Mr. Davitt as late as the year 1885. This is an extract from a letter of Mr. Davitt's of October 7, 1885. Referring to the whole course the *Irish World* had taken, he said :—

“The *Irish World*, which, of course, means Patrick Ford, has almost always been ‘a guide, philosopher, and friend’ of mine since my liberation from Dartmoor ; and if I have had to differ occasionally with some of its teachings and to criticize the wisdom of its plans for the freedom of Ireland, I have never for a moment doubted the unselfish patriotism which prompted such plans, or forgot the unparalleled services which you rendered to the Land League movement from its very inception until its organization—but not its spirit—was suppressed by the Government of England. Indeed, no truthful historian can write the record of that organization and its giant assault upon the citadel of felonious Irish landlordism without recognizing the fact that the chief inspiration of the movement, its spirit, and most of its financial strength came from the *Irish World*.”

Now, I do not suppose that Mr. Davitt will repudiate any statement of that kind. If so, Mr. Davitt is one of the witnesses who can give the strongest evidence in support of the view for which we are contending—that there was but one conspiracy, but one organization, and that its object was to attack the felon landlords, to attack

the felonious Irish landlords, to drive them out, root and branch, from the Irish soil, and to put the Irish soil in the possession of the Irish tenant, thereby to destroy what has been called on so many occasions the "English garrison" in Ireland. I told your Lordships that I must give you a brief record of the connexion between the *Irish World* and the Irish National League in the matter of money. I am not able at present to put in a complete statement in regard to that, as the files at my disposal have not yet been completely searched. Your Lordships know there is a summary, signed by Egan, in the sheet which was produced in facsimile in *The Times*; but, practically speaking, every one or two issues of the *Irish World*, sometimes once, sometimes twice, sometimes three times in a month, there are acknowledged and signed by Patrick Egan various sums of money received on account of the Irish Land League, which undoubtedly formed substantially the principal sources of the funds of the League. I do not want merely to read from "Parnellism and Crime," nor do I want to refer to any statement of my own of mere plain facts as to what I shall be able to prove in connexion with Mr. Parnell and Mr. Ford; but this I respectfully say, that I have to-day travelled over a period of no less than eight years, from 1878 to 1886, and have shown—and, so far as I know at present, there is nothing to contradict the statement I have made—that the initial plan of the Irish Land League emanated from Mr. Davitt after consultation with Mr. Ford in America. I daresay there had been consultations in Ireland before. No doubt Mr. Davitt is a very clever man, and may have originated all those ideas; but, be that as it may, the Irish Land League did not exist until Mr. Davitt had been to America. He comes back and he has a difficulty in inducing Mr. Parnell to assent to the programme he has proposed, because Mr. Parnell was afraid he might be driven too far. In a fatal hour Mr. Parnell yields, with the result that American money is forthcoming, through the agency of the *Irish World*, for starting the first initial organization of the National Land League. During the years 1881, 1882, and 1883 there are constant and continual references to the services rendered by the *Irish World*. During a portion of this time there are undoubted attempts at outrages,

gross outrages, in this country, unconnected with the land agitation, which emanated from America, as to which not only the vile criminals who carried them out, but the agents, such as dynamite, by means of which they were carried out, all came from America. As far as can be it will be proved before your Lordships that all the dynamite used in the outrages in this country emanated from America. You have, therefore, got an extreme party placed all the time in immediate alliance with the Land League. And what is going on in Ireland? Unfortunate beings are being made to walk to the fullest extent the other plank built up by Mr. Michael Davitt, and victim after victim falls who has committed no offence except that he has paid his rent. All this culminates at a point in the year 1882. Then what do we find during 1883, 1884, 1885, and 1886? If the story as I have told it is true—and I challenge my learned friends to show that it is not—you have the same intimate connexion between the two conspiracies. Now, my Lords, it only remains for me to follow one part of the story with which I have not yet dealt—namely, whether or not the National League did the same sort of work the Land League has done. I am anxious to-day to complete the case as nearly as possible, though I am afraid I shall not be able to do so in the short time still at my disposal. Now, my Lords, I do not hesitate to say that prior to the year 1883 I have successfully demonstrated that the Land League had been supported by a vile conspiracy, which only lived by the cruelty it practised on the peasantry in Ireland. What we have to consider now is, aye or no, was the course of conduct pursued by Mr. Parnell and others at the end of 1883, in 1884, 1885, and 1886 the same or different from their previous conduct? Did the National League repent of the evils which had followed from the course of conduct pursued by the Land League? It will be our duty to lay before your Lordships evidence of exactly the same kind, and it is essential that I should demonstrate to your Lordships that I am going to tender evidence which will, I trust, put it clearly before your Lordships that after May, 1882, the National League was pursuing exactly the same course of conduct as had been pursued by the Land League prior to that date. The first set of speeches to which I shall call atten-

tion are the speeches delivered in the county of Cork, resuming the story of the working of the organization in that district. The first speech which I will read was delivered at the Land League meeting at Cullen on June 7, 1885.

The PRESIDENT.—The Land League ?

The ATTORNEY-GENERAL.—No. I mean the National League, which was started in the autumn of 1882. The Land League was supposed to have ceased to exist at that time. At this meeting Mr. M'Carthy, ex-suspect, who was, I think, in Kilmainham with Mr. Parnell, made a speech strongly condemnatory of land-grabbers. He fiercely denounced land-grabbers, whom he called on the people to deal with "as Irishmen should deal with their enemies. There is one way you can get rid of this scourge, boycott him, isolate him as accursed by God." The remarks of this speaker, I think it will be proved, were directed against one Cornelius O'Connor, who had taken an evicted farm at Ardnageehy. On June 14, at Hunting-hill, J. Lyons, secretary of the Cork National League, said the meeting was called to protest against a most unjust eviction, and advised the people to boycott the emergency man or land-grabber ; "they need not give him a drink of water though it would save him from the next world." Speaking at Knocknagree, on the 29th, Mr. Cronin expressed surprise "that land-grabbing should be allowed to exist in the district, having regard to the perfection of the organization of the people therein. The man who takes up the farm of another is undermining the groundwork of the agitation. He is doing no good to his family, because the very children will not only curse him for his action, but will not care to hear the name of their father mentioned." Mr. Healy—not either of the members of Parliament—said "grabbing was growing apace, sustained and fed as it was with the unaccountable immunity with which its disciples had been allowed to pursue their villany." I think there can be no doubt as to what was intended by "immunity." What had previously happened to persons who had "grabbed" land would suggest to the people what course they were intended to pursue. Mr. M'Carthy, at the same meeting, said :—"No word in the English language was sufficient to explain their horror and loathing for the land-grabber, that wretch whom the sooner the Irish people get from the face of

the country the better." Mr. Wright, from Philadelphia, said, "Earl Spencer is gone, but he has got away too easy. . . . Perhaps we know a great deal. Dynamite to us Americans means the result of wretchedness against oppression." Your Lordships will find not a few cases in which Americans spoke at these meetings. On July 12, at Innishannon, Mr. J. Deasy, M.P., the gentleman who attended the Chicago Convention with Messrs. O'Brien and Redmond, said :—

"They were assembled under a Conservative Government without having their right of meeting interfered with. The settlement of the land question was merely a means to an end. Come to your meetings, pass your resolutions, adhere strictly to these resolutions, have no dallying with the land-grabber, hold no communication with him."

Mr. Kelleher, in the presence of Mr. J. Deasy and Mr. J. Hooper, M.P., alluded to the case of a man who, he said, had been bribing the agent to evict a tenant from his holding, and warned him that "if he continued his nefarious designs he would not only bring down upon himself the vengeance of God, but also the vengeance of man, which was worse than the vengeance of God." At Kealkil, on August 23, Dr. Tanner, M.P., called on the people present, "for God's sake to boycott every man, woman, and child who would not be true and join the national cause." He told the people to be careful not to purchase an article from any one but a Nationalist, and observed that if this would not take effect "the steel would, begob." Speaking at Macroom on September 6, Mr. John O'Connor, M.P., said :—

"They had driven the Land League—like Samson of old—between the pillars of landlord oppression and English injustice, and had given the structure such a mighty shake that it came tumbling to its base. The Land League was crushed, no doubt, but they were building a new house out of the old material. While we exercise all the power that lies within us in chastising the guilty, we must take care we do not also chastise the innocent."

The speaker then referred to an interference on the part of the Cork branch of the League with a decision by another branch, and laid down what he called a little "Land League Law," to the effect that the

latter branch was more competent to give an opinion than the former branch, which did not know the circumstances of the case. Here the effigy of a land-grabber was carried through the people, and Mr. O'Connor observed he had no objection to a little amusement, "particularly when that amusement consisted in dealing properly with a grabber." Well, I should think, in connexion with the carrying of an effigy through the meeting, there could not be a much stronger or simpler method of appealing to an Irish audience than the advice to "deal properly" with the grabber given by Mr. John O'Connor at that meeting. Continuing, Mr. O'Connor said :—

"Our policy in Parliament will be to do such things as will bring us every day nearer to the grand goal of our ambition—national independence. We will not rest satisfied with any half-hearted measures; nothing short of the power to work out our own destiny and to be on equal terms with every other nation of the earth."

Your Lordships will observe that Mr. John O'Connor, taking his instructions from his chiefs, or being one of the chiefs himself, knew that national independence was the subject which it was essential to put forward as one of the main objects by which his hearers would be excited, otherwise he would not be true to the resolutions passed at the various Conventions in America to which I have been calling attention. On September 20, 1885, a meeting was held at Donoughmore, county Cork. There were present Mr. W. Redmond, M.P., and Mr. J. C. Flynn, Robert Walsh, of Cork, being the speaker. The latter said :—"While Carty clings to that farm below, boycott him; do not speak to him; find out where he gets his provisions from; do not deal with that shopkeeper; establish a Vigilance Committee for the purpose and make the place as hot as hell for him." At Blackstaff's Cross, county Cork, on the 10th of April, 1886, Mr. Deasy, M.P., denounced Mr. Hamilton Brien as "one of the worst type of Irish agents to be found in Ireland," and advised the boycotting of land-grabbers. To show the extent to which this agitation was being carried on in Cork, on the same day at Cooldorihy, county Cork, in the presence of J. C. Flynn, William Kelleher said that "the struggle of Whiteboyism is the struggle of to-day." Your Lordships know what Whiteboyism

was. A number of Acts were passed to stop offences such as firing at night. The speaker went on to say :—

“ The Whiteboys, in order to protect their wives and families, had no doubt a desperate struggle with the landlords. I am sorry to say they failed, but please God we shall not fail. The National League has grappled landlordism by the throat ; and if you in this branch of the League, and the branches throughout the country, are faithful and true to the League, that hold will never be loosened until landlordism is completely strangled and until the last vestige of the ruffianly institution is swept out of the country.”

If there were half a dozen ignorant men there who believed that stamping out landlordism would give them their farms for nothing, mere greed would drive them to take those means which were suggested by the speaker, while there would be a considerable number of others who would be afraid to resist. One of the principal means Mr. Parnell has for rewarding his supporters is by making them members of Parliament for the districts in which they have been agitators, and this Mr. Flynn was afterwards member for North Cork. On the 18th of October at Durrus Mr. Deasy, M.P., said :—

“ They would be placing themselves within the power of the law if they proposed any resolutions at their League meetings directing their friends to boycott any individual.” Your Lordships will observe the insidious way in which Mr. Deasy avoided all he thought would place himself within the power of the law. The speaker went on to say :—

“ If they entered into any kind of a conspiracy for the purpose of making life unbearable to those wretches, they would run the risk of having a conviction against them. They know the land-grabbers, and nobody need tell them how to deal with them. There need be no discussions at their meetings on the subject at all. If they pursued the constitutional course they had been pursuing for the last five years they would soon see the day when the Irish people would bid defiance to the British Government, and would have supreme control over their own destinies.”

There you have it again, my Lords—“ the same constitutional course being pursued as during the last five years ”—the constitutional course being murder, intimi-

dation, and the maiming of cattle. The Rev. Father O'Riordan at the same time said :—

"Are Irishmen, with the brains they have, to be the only people to remain degraded and depressed? You shall not, with the political education you have, with the brains you have, and the hearts you have, and the manly figure you have, and the strong arms—which you will keep quiet till your commanders order you—with all these qualities of mind and body you shall not remain any longer the most degraded people on the face of the earth."

At a meeting at Coachford, county Cork, Dr. Tanner spoke. Dr. Tanner is a gentleman who has a greater command of metaphor and of epithet than most of his colleagues. He spoke of the land-grabber as a "rapacious beast, too low, too filthy, to take cognizance of, too low to denounce. He is like the leper in the East, or like that other gentleman, and like such a noisome creature, we should treat him in the only way in which he ought or can be treated, we should leave him severely alone." Your Lordships will remember that the "severely alone" was the text of Mr. Parnell at Ennis in 1880, nearly five years before. "The Irish people would march on until the cord has been snapped which ties them to slavery, and until Ireland will again assert herself an independent, free, and glorious nation." On November 15, 1885, Mr. Lane, M.P., speaking at Middleton, congratulated the people upon the disappearance from their midst of "the cursed flag that they had been accustomed to see upon every public platform, and he hoped they would never see it again. (Cheers and groans for the 'Union Jack.') In its place were the banners representing Ireland, and the greater Ireland across the sea. Boycotting was a thoroughly legal weapon, and, powerful and desperate though it was, they were entitled to use it. As hanging is a protection to society against the taking of human life, so boycotting was a protection to the tenant farmers. It was the only weapon they had against the brute force of British laws. Let no tenant go behind the backs of his fellow tenants on any estate and pay his rent after it had been decided to act in concert." Your Lordships will find several references in these later speeches to acting in concert and to the Plan of Campaign, which, I assume your Lordships are aware.

was the revival of an old system that there should be a combination by those who could pay banking the money for the good of all, not one sixpence to go to the landlord, those who were willing and able to fulfil their contracts or carry out their existing obligations being prevented by intimidation from doing so. Hence the meaning of the observation as to acting in concert. On the 15th of December Dr. Tanner spoke at Millstreet, county Cork, and asked the people present to hold up their hands and swear never to take evicted farms. Referring to Mr. Hegarty, he described him as "a vile, creeping reptile, living in their midst, who used his landlord influence in maligning the people among whom he lived, who was endeavouring to climb to the magistracy, but who would yet be relegated to the lowest depths of a felon's cell." Mr. Hegarty is a gentleman who will be called before your Lordships—a very respectable man who lived for years in peace and quietness with his fellow men, but who had the pluck and determination absolutely to decline to knuckle under to the National League. I believe that several attacks have been made upon him, even to the extent of firing at him. He will be able to describe to your Lordships the position a man in Ireland is in if he has the courage to resist the National League and not to mind the attacks upon him. He then describes Mr. Hegarty as "a low, creeping reptile, who did not deserve the name of a human being, whose proper definition would be a 'thing,' but since he should call him something, he would call him the lowest of created beings, a creeping louse. As long as Mr. Jeremiah Hegarty was in their midst there never would be peace in Millstreet." He then called on all who wished Mr. Hegarty away to put up their hands. Thereupon the whole crowd lifted their hands, groaning and booing. Well, my Lords, it certainly does seem an extraordinary thing that this kind of speech should be made for the purpose of forwarding a *bond fide* political organization or any organization which pursues constitutional means. Now on August 22, 1886, Mr. Gilhooly, M.P., spoke at Kealkil, county Cork. He said:—

"Become members of the National League, which is the only power to protect you from the landlords, and, above all things, be determined that you will not surrender the land you have tilled and slaved on to a

horde of miserable vampires who have no right to that land. During the last two years two millions of our people have been murdered by landlordism, aided by English law in Ireland, and it is your duty to combine and determine that you never again will be driven from the homes which are your right. We have in the neighbourhood of Bantry some of the most miserable vampires that ever cursed the face of the earth. We have that cursed militiaman, Lord Bantry, who has returned to occupy the home where his father kept the paternal seat at Blackrock House." He then denounced Mr. Bird, J.P. and land agent, for having served writs of ejectment on tenants; also Mr. Barrett, J.P. Both these names you will find, my Lords, that it is important to remember. He denounced land-grabbers, and observed that:—

"The grabbers in this locality will find that it will be impossible for them to keep a hold of their farms. The people should boycott them as they would a venomous serpent, and also any shopkeepers who supported them. It was not by a 'wishy-washy' sort of organization, or by going and joining the National League, they could do anything, but by acting as men, by being fearless of the consequences. If they had to go to gaol, go to gaol; let no punishment that can be inflicted prevent you from preserving your families from landlordism. Notwithstanding every means which could be employed by the English Government to stamp out the spirit of the Irish people, the spirit to-day lives, thank God, and the Irish people are more hopeful and nearer to win back the God-given right of self-government than at any period of Irish history since the English invader laid his unholy foot on the soil of our country."

My Lords, it is perfectly clear from the reports of these speeches that these speakers had all had the same text given to them—were told that they were to preach national independence and the sweeping away of landlordism, and following out these lines they one and all appeal to that for the purpose of securing the American support and that of the extreme section to which I have made such frequent reference. The actual foundation of the Plan of Campaign was in October, 1886. On the 7th of November, 1886, Mr. W. J. Lane, M.P., spoke at Youghal. He said he did not think that the local branch of the League had

shown that activity for the past six or eight months which it ought to have shown, and which, if it had shown, there would not be three or four vacant farms in the immediate neighbourhood of their town. If such farms were not boycotted within the next week, he would say the branches were not doing their duty. (Cheers.) There was not a district in Ireland at the present moment where there are not a few boycotted, and strictly boycotted farms. These farms serve to the surrounding landlords the very same purpose that an old hat on the top of a stick serves crows in the potato field. He counselled the tenants on the Ponsonby estate to demand what reduction they considered fair, and if that reduction were refused he explained to them what they should do.

"In those good old days when the English Government used to go to war—before they were muzzled by Mr. Parnell and made the laughing-stock of the world—it was a rule of the British Army that every man who deserted his ranks in presence of the enemy was shot on the spot. We are told to look up to the British Government as models of law and order, and if we might take a leaf out of their book, I would say this, that every tenant farmer who is found turning his back on his comrades deserves to be shot. But, my friends, understand me thoroughly. We have given up the use of firearms in our warfare, we have a more powerful weapon at present, and one that is able to deal a deadlier blow than any firearm ever invented, and that is the weapon of boycotting." (I wonder whether Mr. Lane pointed out to his hearers that boycotting in the end means killing the man if he did not submit through the boycotting.) "We have heard it said by landlords and land-grabbers that they would a great deal sooner be shot than boycotted. And therefore I say when you have deserters in the National ranks, instead of shooting them as the English Government deals with its deserters, we will boycott them. Mind that! Let that be fully understood, now, because these people have been treated with too much consideration in the past. It is not the landlords that have the fixing of rents at present; it is the tenants. If the tenants are true to their colours, they can fix the rents, and not the landlords."

Father Hayes, an Irish-American priest, thanked them for the enthusiastic reception they had given him;

he knew it was intended for the great Republic of America. (Cheers.) Whenever he spoke in America he never had a Government reporter on the platform to bulldog him.

"They were not accustomed there to those objects of servitude, of slavery, and of foreign domination. But, whoever else he may bulldog, this child of the American Republic he will not bulldog. Between the English Government and the Irish landlords, as between two millstones, the very life has been crushed out of Ireland. In the name of the God of freedom, of truth, and of justice, what is the remedy? Is it by physical force, or is it by moral force? I know there are some people on earth, and a great many perhaps here, who think that no good can be done without dynamite, powder, and blood, and that no triumph can be achieved without these evils that shake the pillars of the globe and make thrones and principalities and republics totter and rush down in chaos before the stormy wrath and execrations of revolutionary men. I hold that physical force should never be employed except where you can employ it successfully, and then only as supplementary to moral force, and when moral force has been despised. Evidently we have lost our time in petitioning England. Will we now petition the landlords that they may have mercy on us and spare us—a plutocracy of thieves, held together by the cohesive power of public plunder, wringing their wealth from the sweat of the Irish poor? What, then, is the remedy? Let every man stand to his gun; no neutrals, as my friend Dr. Ronayne said; every man and woman can do something. Any one that is not with us is against us. Some of the ancient Republics that are no more condemned to death any citizen that remained neutral when his country entered on a troubled time. Ireland is in trouble and affliction, and if that law were applied to Youghal—I am sorry to say it, but I am one of those who speak the truth and shame the devil—if that law were applied to Youghal, one-half of us should be doomed to death long ago. The first remedy is perfect unity. Unity is strength, and in strength is victory. Any one that is not with you heart and soul, go, mark him well, whether he be Churchman or layman, Catholic or Protestant. You must make no distinction on the

score of nationality. If you had a Catholic that was a renegade to your National League, and if you had a Protestant that was true to his country, you should patronize the Protestant and condemn the Catholic. Put him where the Redeemer of the world put Iscariot, and you do not need to be any more just than your Redeemer. I tell you that if, in spite of moral means, that still England remains the England of all history, brutal in the superlative degree—I tell you we have something in America that will give her a rude awakening, and she got a taste of it in Parliament in the dynamite explosions. If nothing but explosions will make an impression on England—I do not advise you anything, but we in America would pelt the powder that would not do us justice with the lightnings of Heaven and the fires of hell.”

Mr. John Hyde, of Killeagh, said that “a great deal had been said about tyrannical landlords, but they had in their midst a land-grabber of the deepest dye, and that is Bill Daly.” I have only two more, if I may be allowed to finish them, my Lords. Mr. J. C. Flynn, M.P., said :—

“The plain truth is this, that the land of Ireland this year has produced no rent ; and what I should advise is that where abatements are not given, then let there be no rent. The man who is a member of the Irish Parliamentary party has land which appears to be of that kind from which Sir James Caird said six months ago that all economic rent had disappeared. The conduct of Sir Joseph N. M’Kenna is bad, especially because he is a member of the National party, and because he is supposed to represent the justice of the tenantry and people of Ireland. Mr. Lane has told you, and I repeat it, that the attitude of Mr. Ponsonby and Sir Joseph M’Kenna, and the attitude of all other landlords in this district, will be measured by the strength and determination he meets from the people. Let the farmers show at the present time the same determination that one man—Tim Hurley—showed a fortnight ago, and the question is settled, and the rents of Ireland will come down.”

After that was a speech by the renowned Dr. Tanner, at Molly M’Carthy’s Bridge, county Cork, on January 23, 1887. Dr. Tanner said :—

“The Plan of Campaign had been proclaimed, but

then they (the Government) proclaim a great many things. In point of fact, if I am tired of anything, I am rather tired of fearing up the Queen's proclamations. (Cheers.)" He commended boycotting as a most powerful, serviceable weapon, and called upon the people to boycott any man who is an enemy of the country. He was not, he said, going to specify any particular cases; they knew the difference between right and wrong, and he called upon them "in all wrong cases, or cases of grabbing, or emergency men, or ruffians and scoundrels of that type, distinctly to boycott all such. We all know the way they treat renegades and ruffians in Millstreet. (A voice.—'Hegarty.') Some one mentioned the name Hegarty. (Groans.) I was speaking about that creature this morning, and as I told the people in Ballyvourney this morning, so I tell you now, the creature is going down-hill too quick. [I cannot help thinking, my Lords, that this must have been in 1886, and not 1887.] I am not going to deal with men of that class, stamp, or abstraction. Their foul deeds are on them—the brand of Cain—and their fellow men are able to discriminate between them and honest and just men. I draw a difference between a viper and a boa constrictor. One is a miserable, mean, grovelling, crawling reptile, the other is a reptile of a more noble stamp. So, my friends, you are able to draw the difference, and I will leave the matter in your hands. I am not going to deal with these men, because they are beneath contempt—Hegarty and that lot."

Your Lordships see it was so well organized that in all cases "of grabbing or emergency men" the people were enabled to recognize what they had to do. Dr. Tanner, speaking at Colderrihy, county Cork, on the 25th of January, 1887, said that he, as their representative, was the general in command of the Irish National League of Mid-Cork; that Kilmichael should send forward its company to march shoulder to shoulder with the regiment, to meet the enemy in the gap. "If a soldier enlisted in the Army was required by his colonel to march with his comrades to meet the enemy at the gap and fell out of the ranks, well, he would be shot. The men who will not obey me as their colonel and join the National League, well, I would not say

they should be shot, but they should be roughly treated. I won't be accountable for their lives, and may be the daylight would be seen through them in bullet holes." My Lords, I have read this series of speeches from 1885 to 1887, and I submit there is practically no difference between the conduct pursued by the National League speakers during that period and that pursued by the Land League speakers in the previous period.

FRIDAY, OCTOBER 26.

Mr. Davitt appeared in person.

The Commissioners having taken their seats upon the bench,

The ATTORNEY-GENERAL said,—Might I venture, my Lords, to refer to a matter which your Lordships were good enough to say I might mention again and that you would consider the application—namely, as to the number of days a week that your Lordships will sit? It will be necessary in the course of our case to call witnesses from various localities, and it will be almost impossible to have them here at the same time. It would therefore, I think, be a great saving of time if we could marshal the evidence so as to deal with different districts on the same days. Under these circumstances I think it would be a saving of time if the Commission only sat four days a week—Monday, Tuesday, Thursday, and Friday, and we should then have the intervening day.

The PRESIDENT.—We are desirous of meeting your views with regard to the number of days a week that we should sit, but we think that whatever days we sit they should be continuous.

The ATTORNEY-GENERAL.—Then it had better be Monday, Tuesday, Wednesday, and Thursday—or Tuesday, Wednesday, Thursday, and Friday.

SIR C. RUSSELL.—I rather think Tuesday, Wednesday, Thursday, and Friday would be most convenient.

The ATTORNEY-GENERAL.—Well, we will leave the matter in your Lordships' hands.

The PRESIDENT.—I myself am disposed to sit so as to leave Saturday and Monday free.

The ATTORNEY-GENERAL.—That course certainly has its advantages.

SIR C. RUSSELL.—Be it so, then, my Lords. There is another matter which I should like to mention. It would be a great saving of time if the Attorney-General were to give us reasonable notice of the order in which he proposes to take the different classes of evidence.

The ATTORNEY-GENERAL.—So far as I possibly can I will meet my learned friend's wish, but I cannot promise to do so exhaustively, because we shall not always be able to get all the witnesses we desire from the same district together.

SIR C. RUSSELL.—There is one other matter. We should wish, as early as is convenient to your Lordships, to know the result of the inspection of the documents in the box and of the documents alleged to be forged, which it was agreed were to be examined by your Lordships.

The ATTORNEY-GENERAL.—There were also some documents mentioned in the affidavit of Mr. Lewis.

The PRESIDENT.—I do not remember.

The ATTORNEY-GENERAL.—I would ask your Lordships to look at these documents also. The affidavit states they have been lodged for the use of the Commission only and nobody else.

SIR C. RUSSELL.—The matter stands thus, my Lords. The affidavit states that they are documents which Mr. Lewis thinks he ought to disclose. They were a batch of documents which came to an English member of Parliament from America, and which he thought might have an important bearing on some part of the case. We have no objection, however, that these should be seen by your Lordships.

Mr. DAVITT.—I have not yet got the particulars which were promised to me, my Lords.

The ATTORNEY-GENERAL.—I shall take care that the particulars are delivered to Mr. Davitt to-morrow.

The ATTORNEY-GENERAL, resuming his speech, said, —I referred yesterday to the outrages that followed the Cork speeches, and with reference to them and the outrages in the various counties of Kerry, Galway, Clare, and Mayo, which I have selected for the purpose of illustrating to your Lordships the character of the organization and the nature of its work, I desire to state to your Lordships what my allegation is with respect to those years. It is that the National League pursued identically the same methods and course of action and with the same objects as the Land League. Your Lordships will find again organizers sent down to organize or revive the flagging interests of the organization in various counties; and these organizers went about delivering the same kind of speeches, giving the same advice, and inviting those whom they addressed to take part in the same conduct, and your Lordships will find these speeches followed by outrages of the same description and scarcely fewer in number. I am glad to say that in some districts the outrages were slightly less in number, due in a great degree to the fact that there was an increase of the police force in those districts where the speeches were delivered. Your Lordships will also find that that organization of outrage pursued by the branches of the organization had been practically reduced to a system, and as soon as any person was found not to obey the orders of the National League he was either boycotted at once, or notice was given to him that he would be boycotted. Reference also was made to what had happened to boycotted persons in other districts in previous times, with the result, as your Lordships can well understand, that there was in a great many instances immediate

obedience to the commands of the League and to the orders which the League Council gave, which they intended to be enforced first by boycotting and then, if necessary, by outrage. During this time, in 1885 and 1886, the League held courts, summoning people before them and fining them for not obeying the edicts of the League, fining them for not obeying its edicts with reference to payment of rent, and for other circumstances in connexion with their conduct towards their neighbours. In many instances there was complete submission, and the most abject terror prevailed among the people summoned to these courts; in fact, it was scarcely possible for anybody who had not got very large means, and who was not endowed with a very courageous temperament, to resist what he would be subjected to by the commands of the League. Very remarkable instances will be proved of men being summoned and of resolutions being passed at League meetings and of men being boycotted and moonlighted in consequence—that is to say, their names having been mentioned as men who had offended, in the same night or within a few hours or days moonlight operations commenced against them. Of course, it may be said that this was all entirely independent of the organization, and that it was all the work of some secret society; but it will be for your Lordships to judge, when the evidence is laid before you, whether any such view as that is possible. I should also mention one other matter in connexion with the action of the League at this time, and that is the way in which many of the papers referred to in the particulars were worked. Your Lordships will find that in a good many of the counties the names of the persons offending were mentioned in papers which were under the immediate control of many gentlemen whose names are included in the particulars—as, for instance, the *Kerry Sentinel*, which is, I believe, if not owned by, largely under the control of one of the Messrs. Harrington. Reports of all that was being done in those parts of Kerry where the League was holding

meetings were published in that paper, and it was undoubtedly used as a means of enforcing the commands of the League, and for deterring people either from disregarding the rules of the League or from being willing to fight the Council. The extent to which in many districts boycotting and intimidation of the extreme kind were carried can scarcely be exaggerated or stated in too strong terms. There was the most absolute and complete system. For instance, if anybody who might be owed two or three years' rent—I am not now speaking of large landowners, but of persons quite in a small way—offered to receive a very small portion of that rent, say a year, or a year and a-half's rent, from his tenant who was perfectly willing to pay apart from the tyranny of the League—if it was known that any such arrangement was about to be made, that man's name was published, frequently all his servants employed on his farm were threatened, and having no means, no power to resist, and no place to which they could go for aid, in numbers of instances such people were absolutely ruined. In the case of dairy farming, there were especially many instances in which the orders of the League not having been obeyed, the servants at work in connexion with the dairy were threatened and had to leave, and the cattle would die because their owners could not get people to undertake the work of looking after them. There is one other matter that I must mention to your Lordships, and that is this, that a very large number of persons were undoubtedly willing to fulfil their obligations if they had been left alone, and from evidence that will be laid before your Lordships it will be found that in a large number of instances persons would pay their rent secretly, would come by night and ask that they might be served with writs before they paid, asked even that pressure by distress might be put upon them, and in some cases that they might be served with notices of eviction. What was the meaning of such conduct as that? It could only mean that there was a terrorism exercised over them all this time by some system of which they were in abject fear. I do not suppose that ultimately it will be seriously denied that, whoever it was at the back of the local branches of the National League, whether it was the Parnellite party or not, it was intended that this should be the kind of process whereby their

power would be obtained over the occupiers of the land, and persons who otherwise would have been willing to remain on the same relations to their landlords as had existed before were, practically speaking, coerced into a resistance to every kind of legal process. There are other minor methods your Lordships will have to deal with, such as the interference with justice, the preventing of the giving of evidence and the intimidation of jurors, and matters of that kind. As to these I shall be able to give your Lordships many instances, though I do not by any means say that I propose to open anything more than a part of the cases, and only those cases which appear to require some special notice. Now, my Lords, among other matters that were developed during this period was the "Plan of Campaign." I stated yesterday that that was nothing more nor less than a system initiated by one Finton Lalor as far back as 1848. The Plan of Campaign has been declared to be illegal by every tribunal in Ireland which has expressed an opinion on the matter, and I think nobody with the most elementary knowledge of law could come to any but one conclusion. It appears to have been this process—assuming there were a number of tenants on an estate, a great many who could pay their rents and some who could not, the Plan of Campaign came in. It was an arrangement whereby they were all forced to agree that no more should be paid than a certain amount, and if that amount was not accepted nobody was to pay anything, but that all the money they should be willing to pay should be handed over to a third person to be used, not for payment of rent, but for other purposes, for the supposed well-being of the persons who had declined to pay, or of other persons who were carrying on the land warfare. The Plan of Campaign had this incident in connexion with it, that, practically speaking, it reduced the amount that each tenant paid to the sum which the poorest or the most stubborn of them was able or willing to pay; inasmuch as it was a principle of the Plan that nobody should go behind the back of any of the others and pay, they were all brought down to the level of what the person who was the most impecunious or stubborn was willing or able to contribute towards payment of his rent. And when the Plan was started your Lordships will find that over and over again persons were boycotted because

they would not join the Plan. Persons were named at those meetings because it was supposed they had paid their rent behind the back of the general combination or organization of those who were united together in the Plan of Campaign of the particular place, and I will show your Lordships that the leaders of this party, by which I mean such gentlemen as Mr. Dillon, Mr. William O'Brien, Mr. Deasy, Mr. Sheehy, M.P. (whose name is spelled in the same way as that of Father Sheehy, to whom I have frequently referred), and many other persons, to whose speeches I shall have to refer, who are persons charged in these proceedings, went about threatening those who would not join the Plan of Campaign and who would not agree to this imposed arrangement, whereby an agreed amount should be paid, and that, not to the landlord, but to the trustee of the Plan of Campaign.

SIR C. RUSSELL.—I am very loth to interfere if your Lordships desire to go into this matter, but to the best of my recollection there is no reference to the Plan of Campaign in "Parnellism and Crime," and certainly not, so far as I am aware, in the particulars that have been delivered. Of course, if my learned friend desires, he may apply to amend his particulars.

The ATTORNEY-GENERAL.—I beg your pardon, Sir Charles, it will not require any amendment of the particulars.

SIR C. RUSSELL.—I am, of course, surprised, because this was the subject of discussion in Court.

The ATTORNEY-GENERAL.—I have nothing whatever to do with any discussion; I do not know to what my learned friend refers. If your Lordships will kindly look at paragraph 5 in the print of the particulars:—"One of the immediate objects of the said conspiracy or organization was to promote an agrarian agitation against the payment of agricultural rents, thereby securing the co-operation of the tenant-farmers of Ireland, and at the same time the impoverishment and ultimate expulsion from the country of the Irish landlords, who were styled 'the English garrison.'" Then, "The organization was actively engaged in the following matters:—1. The promotion of and inciting to the commission of crimes, outrages, boycotting, and intimidation. . . . 4. Holding meetings and procuring to be made speeches, inciting to the commission of crimes, outrages, boycotting, and

intimidation. . . . 6. Advocating resistance to law and the constituted authorities, and impeding the detection and punishment of crime. . . . 8. It is charged and alleged that the Members of Parliament mentioned in the schedule approved and by their acts and conduct led people to believe that they approved of resistance to the law and the commission of crimes, outrages, and acts of boycotting and intimidation when committed in furtherance of the objects and resolutions of the said societies, and that persons who engaged in the commission of such crimes, outrages, and acts would receive the support and protection of the said societies and of their organization and influence. The acts and conduct specially referred to are as follows'”—

SIR C. RUSSELL.—That is “the acts and conduct which led people to believe.”

The ATTORNEY-GENERAL.—No, the acts and conduct of the persons named in the particulars. My learned friend fell into the same error before.

SIR C. RUSSELL.—I beg the Attorney-General's pardon, I fell into no error before; the acts and conduct are acts and conduct which led people to believe.

The ATTORNEY-GENERAL, continuing:—“9. They attended meetings of the said societies and other meetings at various places, and made speeches, and caused and procured speeches to be made inciting to the commission of crimes, outrages, boycotting, and intimidation.” I assert, my Lords, that in their speeches it will be found that they had incited to intimidate, boycott, and, if necessary, outrage persons who would not join the Plan of Campaign. Paragraph 11. “With knowledge that crimes, outrages, and acts of boycotting and intimidation had followed the delivery of speeches at the meetings, they expressed no *bond fide* disapproval or public condemnation; but, on the contrary, continued to be leading and active members of the said societies, and to subscribe to their funds.” I do not know, my Lords, whether my learned friend will say that does not apply to the Plan of Campaign.

SIR C. RUSSELL.—Might I point out, my Lords, that the particulars are only intended to be a specification of the charges contained in “Parnellism and Crime,” and therefore, even if my learned friend shows that the particulars refer to the Plan of Campaign that is

not enough—he must also show that it is referred to in “Parnellism and Crime.”

The PRESIDENT.—According to the Attorney-General's statement, his contention is that this Plan of Campaign was one of the means of intimidation, and therefore it would be included under that general head. It is certain that, in the particulars, there is no mention of the Plan of Campaign by name. I think Sir C. Russell is right—that you have to show that the Plan of Campaign is included in the charges and allegations, and, if it is referred to specifically, of course we shall be glad to have our attention called to it.

The ATTORNEY-GENERAL.—I have not the slightest difficulty in doing so. I have sent for the actual pages in which the references are made. I did not know that any point of this kind was to have been raised, or I should have been prepared for it. I will undertake to show your Lordships the passages in which the Plan of Campaign is referred to in my speech in “O'Donnell v. Walter.”

SIR C. RUSSELL.—My recollection, and that of my learned friends, is that there is no reference whatever. Subject to that protest, I am quite willing my learned friend should go on.

The ATTORNEY-GENERAL.—I will show in the Blue-book the passages in my speech in which references to the Plan of Campaign form a part, and my own recollection is that it is referred to in terms, although, of course, I cannot pretend to carry all those facts in my head. I come now to the Cork outrages which followed the speeches which I have referred to, and I will give you first the particulars of the case of Mr. Hegarty, who was referred to by name in several of the speeches delivered by Dr. Tanner. The fight between Mr. Hegarty and his opponents began as far back as the year 1881. Mr. Hegarty set the Land League at defiance. He had previously been singularly popular, and although all kinds of attempts were made to intimidate him, and those who served under him, he succeeded practically in beating the League. Many references in 1880,

1881, and 1882 were made in the earlier proceedings of the Land League to Mr. Hegarty, and as far back as 1881 sums of money were sent from the central organization in Dublin in order to support the families of persons who had been imprisoned or otherwise punished for breaches of the law against Mr. Hegarty. Proceedings were taken against persons who boycotted him, who endeavoured to injure him in his *status* and in his trade, and the offences having been proved against the accused parties, as much as £50 was sent by the Dublin branch of the League to help the families of these persons who had been convicted according to law. From time to time a great many complaints were made that people did not join in the fight against Mr. Hegarty as vigorously as they ought. In 1884 speeches delivered at Land League meetings—speeches which I have not yet read, but which will be put in evidence—called attention to the fact that somehow or other persons did not seem to be so willing as they should be to take part in the plan or operations of the Land League in the particular locality where Mr. Hegarty resided. On the 13th of December, 1885, resolutions condemning Mr. Hegarty by name were passed by the local branch of the Land League. And two days afterwards there came the speeches made by Dr. Tanner with reference to Mr. Hegarty's conduct. Mr. Hegarty was constantly followed about by members of the local Land League and attempts were made to intimidate him; but, as I have said, he was bold enough to set these men at defiance, and he took care, as far as he possibly could, that those under him should not suffer. He supported the families of those who were intimidated or boycotted simply because they worked for him, and by this and other means he seemed to have beaten the National League. In consequence, it was apparently determined that some stronger action should be taken, and you will find that on several occasions personal violence was threatened against the people who worked for Mr. Hegarty. In 1881 a man in his employment had had his ears slit open. Later on threatening letters and notices were sent to persons simply and solely because they dealt with Mr. Hegarty. On the 6th of April, 1885, Mr. Hegarty, upon whose life a previous attempt had been made, was shot at by men from behind a

wall while he was driving home in a dog-cart with a servant named Thomas Norton. On the 18th of April, 1887, as he was driving from the railway station at Millstreet shots were again fired at him; the first missed, but the second struck him on the right shoulder and head. Sixteen grains of shot entered his skin and he was wounded severely. This took place at a quarter to 9 o'clock. Some policemen were not far off at the time, and they endeavoured to track and trace the men who had committed the outrage, but they could not be found, and no one was ever brought to justice for this affair. It will be proved before your Lordships that there was an organized system of terrorism in Millstreet for four or five years, but that prior to the existence of the Land League it was a peaceful neighbourhood. As I have said, Mr Hegarty was a popular man, and in the period of four or five years, at the end of which he was shot, the only offence of which he was guilty was that he would not knuckle down under the attacks of the Land League, and that notwithstanding that they boycotted his customers and intimidated his servants and shot at him, he continued to contest and fight against this detestable tyranny. Perhaps when the evidence is given, Sir Charles Russell will be able to show in cross-examination that it was not the local Land League that was responsible for this tyranny. On August 8, 1885, occurred the outrage against Timothy Hayes, at Clonakilty, who was fired at and wounded. He was caretaker of a farm which had been occupied by a man named Jeremiah M'Carthy. He was shot in the legs. I should like here to draw attention to a very remarkable fact in connexion with some of these outrages. In several of the speeches—perhaps I should say, in more than one of the speeches that will be proved before your Lordships, directions were given, or rather suggestions were made, that it was not necessary to shoot men dead and that they could be shot in the legs, and after that advice was given numbers of these poor people were shot in the legs. Of course they not infrequently died from the effects of their injuries. But I think your Lordships will come to the conclusion, if the evidence I shall lay before you is true, that there had been that degree of brutality in the way in which the boycotting was supported by subsequent

outrage, that even the *minutiae* of the way in which crime should be carried out were instructed to men who might have gone in some blundering way, and instead of wounding them have shot them dead on the spot. Certainly after these speeches there were many more outrages of shooting in the legs than had been known before. On September 27, 1885, John Callaghan's house was fired into at Glounamuckla, near Kanturk. He was a farmer who had been willing to defend himself. On September 27 a party came to his place and endeavoured to get into his house. It was a party who apparently had gone round threatening people not to pay rent. Callaghan would not let them in, whereupon they fired gunshots through his windows. They did not hit him ; but ultimately they threatened him that if he did not give up the arms with which he was defending himself they would do worse for him, and as a matter of fact he did give them one of his guns and they went away. On December 22 occurred the outrage on Richard Williams, near Whitebay, county Cork, a so-called "land-grabber," the "leper," the "loathsome creature," a person of the same character as those who had been so frequently denounced. He was in bed in his house when a person knocked at his door and asked for a light. He opened the door to see who it was, whereupon he was shot in the legs by some person outside, and was seriously ill from the shot. He was rigidly boycotted for some months afterwards, and, whether it was necessary or not, he was under police protection, and he had the greatest difficulty in getting food or anything of the kind, showing that these men were not satisfied with the act of wounding, but were determined as far as they could that this man should not continue to gain his living by occupying this piece of land. On January 13, 1886, occurred the murder of John Regan. That is very remarkable as showing how they have found it necessary to deal with poor people who, previously to this conspiracy, had not been subjected to these outrages. Regan had been a sub-tenant of a man named Sullivan, who was tenant of Mr. Beamish. Mr. Sullivan was evicted, but Regan remained on, as sub-tenant. They first attacked Mr. Beamish. It may possibly be that they did it because there had been some dispute between Sullivan and Beamish ; but that could not have affected this unfortunate sub-tenant.

They proceeded to destroy Beamish's crops, which they burnt, then to slaughter his cattle—three of his heifers. In November, 1882, they burnt his crops; in August, 1883—the outrage on Regan was in 1886, but I am stating the previous history that led up to the outrage on Regan—in August, 1883, they broke down his fruit trees; in December, 1885, they killed three of his heifers; in the same month they broke down his fences. All that this man did was to remonstrate with the party when they came on to break down Beamish's fences. This poor unfortunate man, on December 25, standing on the land, part of which he had occupied for years as sub-tenant of Sullivan's, remonstrated with them; they threw stones at him at the time and fired shots at him, but did not hit him. On December 29, at a quarter to 6, he was fired at at his own house, wounded, and died on January 13 from the effects of that shot. I think it will be proved that those who were engaged in that outrage were undoubtedly members of the branch of the National League in that neighbourhood. Be that as it may, somehow or other there was such a system of tyranny that, as they could not successfully terrorize over or tyrannize over the master, they went to the poor unfortunate man who said, "You ought to be ashamed of yourselves," or something of that kind, and they fired at him and he died from the effects of the outrage. I submit that is one of the outrages of which the National League, as the Land League before it, has said, "Very well, then; if we cannot boycott and intimidate the landlord, then we will boycott and ultimately kill the poor people by whom the landlords were able to make their land to a certain extent productive." They were, by that means, showing that the landlord garrison would ultimately be rooted out of the land. On February 15 of the same year occurred the outrage on Denis Brennan. He was a sheriff's officer; he was fired at with revolvers in the course, not, I believe, of the execution of his duty, but simply in returning to his house. I am not sure whether on that occasion Brennan was injured—I think not; but at any rate he was shot at by more than one revolver shot, and I believe I may have some evidence to put before your Lordships as to the revolvers that were being used in very many of these outrages. At this time in this neighbourhood, in the

county of Cork, there occurred a large number of outrages in connexion with a place which ultimately became notorious—I mean Mitchelstown. Evidence will be laid before your Lordships as to these outrages, which occurred in the month of September, 1886, before the period of the riot. I shall bring forward numberless instances of boycotting and intimidation in the neighbourhood of Mitchelstown, and endeavours to prevent people from pursuing their ordinary vocations—in many cases threatening them with death if they did not obey the orders of the League. On the 29th of November, 1886, an occurrence took place, of which the full details must be given you. We shall show the part some of the leading men took to prevent the proper trial of prisoners, or the proper execution of the process of the law. There was to be at Cork a trial of 30 prisoners for firing at houses, moonlighting, and being in the possession of dynamite. I have on a previous occasion told your Lordships that I believed we should be able to satisfy you that there were many persons who had been members of the Land League who did not approve the action which led to outrage. But on this occasion Mr. John O'Connor, a member of Parliament, one of the persons charged on the 29th of November when the assizes were just going to commence, went to Cork. There had been a good many jurors in Cork who had done their duty according to their oaths, and there had been some instances—not very many, but at all events some instances—of convictions in Cork. Mr. John O'Connor evidently thought that it was necessary that the jurors of the town should know what view would be taken of their conduct if they dared to convict. The names of the persons who served upon juries in Cork were known, and Mr. John O'Connor, marching with the prisoners from the railway station to the place of trial, repeatedly stopped opposite the houses of some of those jurors, and threatened them, shouting “Down with the Cork jurors, down with the English law.” He forced himself in among the prisoners and called on them to “have courage this time, that they should have a fair trial this time.” He also shouted, “They can bring up any man they like to Cork and hang him,” and “They hanged Gough and Barrett here, but by God they’ll not hang you here this time if we can help it.” Now, my Lords, Gough and Barrett were two men who

were hanged for the murder of a man named Brown, to whom I have already referred, and who is alluded to in so many of the speeches I have read to your Lordships. Mr. John O'Connor also cried out, "Groans for the Cork jurors," and "Cheers for the Kerry prisoners." On the 1st of December, 1886, two days afterwards, Mr. John O'Connor and Dr. Tanner were at the same place, and escorted Tim Hurley from the railway to the Court-house. Hurley had been out on bail, and he was charged with the possession of dynamite, and was to appear at the assizes for trial. A short time before a meeting had been prevented—very properly so, if I may so suggest, at a time when these trials were going on—and while he with other Nationalists was escorting Tim Hurley from the railway station, he shouted out "We were prevented the other evening by a paltry little fellow called Shannon from holding our meeting; we hold it now in spite of them. Justice is polluted within the four walls of that building—we must have justice. We demand that Hurley will have a fair trial, and we will see he gets it or know for what." Now, my Lords, with regard to two of the Cork jurors, Messrs. Cronin and M'Mahon, who were serving upon that occasion, immediately after this trial notices were extensively circulated in the county to boycott them, and the consequence was that they suffered pecuniary injury. It is exceedingly important that your Lordships should fully appreciate the result of such action as this, in which sympathy was expressed for those who had suffered the punishment of the law, and in which persons who had done their duty were intimidated. In the same way there was an organized attempt to intimidate the tenants on the Ponsonby estate, when extremely violent speeches were made by Mr. Lane, M.P. I am not going to stop to read Mr. Lane's speeches, but the actual date of the speech to which I refer is the 7th of November, 1886. That speech was followed by a series of outrages of greater or less violence, in many cases the outrages being committed against persons who would not join the Plan of Campaign, and would not agree to become parties to that which was then supported by Mr. Lane with reference to the Ponsonby estate. In the course of his speech Mr. Lane said that land-grabbers were to be boycotted, and were not to

be allowed to possess land within the town, and that similar treatment was to be extended to other persons who were sufficiently hardy to pay their rents behind the backs of the men who were unwilling to pay. On the 14th of February, 1887, there also occurred an outrage on Thomas O'Keefe and Cornelius Creedy. On the 25th of January, 1887, there had been a violent speech made by Dr. Tanner against persons who would not join the National League. O'Keefe and Creedy declined to join the National League. They were then simply taking care of land for some landlord in the district, I forget his name for the moment, but it will be furnished to your Lordships by and by. Ten or fifteen days after Dr. Tanner's speech, O'Keefe and Creedy and a third man named Murphy—I do not know whether Murphy's name had been publicly mentioned before, but certainly those of O'Keefe and Creedy had been—because they declined to have anything to do with the National League, were assailed. The house in which they lived was attacked, their arms were taken from them, and they were robbed of their money. I shall be able to call Creedy, and your Lordships will learn from him the reason why he declined to join the League. I ought not perhaps to have mentioned Creedy's name before calling him, but the mischief is done now. On the 6th of February, 1887, occurred the firing into the dwelling house of Philip Cremin, of Rathcoole. He had taken some land from which some person had been previously evicted, and therefore he was a land-grabber, one of a class of men who had been denounced on the 23d of January previously by Dr. Tanner and Mr. O'Hea. On the 6th of February, about 6 o'clock in the evening, Cremin and his wife were sitting in their house when several bullets fired from either rifles or revolvers passed between them, but they providentially escaped being struck by them. Immediately after Cremin was boycotted and was stoned on his way to chapel. The sole offence that he had given was to endeavour to make a living by occupying land from which another person had been evicted, part of the illegal rule of the National League being that no person should be allowed to occupy any evicted piece of land. On the 3d of February, 1887, there occurred an outrage on two girls, daughters of a man named

Murphy. I am now about to refer to particulars which were perfectly well known at the time the outrage was committed. On the 23d of January Dr. Tanner and Mr. O'Hea had told the people that nobody should associate with the police. These two young girls were supposed to have spoken to policemen. On the 3d of February their house was entered, their hair was cut off, and tar was poured upon their heads. This, my Lords, may of course be said to be only a National League joke, but it shows what were the effects of speeches like those of Dr. Tanner and Mr. O'Hea, seeing that a few days after they were made somebody who was supposed to have spoken to the police was ill-treated. On the 2d of April, 1887, occurred the firing into the dwelling of Cornelius Regan, another man who had occupied land, and the sole cause of complaint against whom was that he had paid his rent against the wishes of the other tenants. As far back as February, 1886, he had been threatened that if he paid his rent it would be the worse for him. The notices which he received will be put in. He was willing to make an agreement with his landlord to pay his rent with 30 per cent. abatement, but the other tenants on the same estate said that 30 per cent. abatement was not enough, and they wanted him to join the National League and to decline to pay rent with so small a reduction. His refusal to comply with their request was the sole reason why they attacked him and his wife in the night, and fired into the room in which he and his wife were with guns loaded with slugs, iron nails, and small pieces of iron. I do not propose to open before your Lordships subsequent outrages; it is not necessary for the purposes of my case that I should do so, because my charge was made in March, 1887. But it must not be supposed that by abstaining from indicating the evidence that I cannot, if necessary, produce that evidence, and I shall, if it be necessary, show that this combined organization and conspiracy to effect illegal purposes by illegal means has continued its practices from the early part of 1887 down to the present time. If these gentlemen who made such speeches as I have referred to profess that they did not understand what the effect of those speeches and the consequences of their conduct would be, I shall show your Lordships that they continued to

make those speeches long after they had had very practical and sad experience of the result of those speeches and that conduct. I do not think that it can possibly be suggested, in the face of the evidence I shall lay before you, that there was merely what I may call an unfortunate coincidence between speeches made by persons who delivered them with other objects than to bring about certain actions, and the consequences which followed them and which appear to be the natural result of those speeches. I am not going to read the speeches which were made in other counties ; but in connexion with what I have said I shall put in a most violent speech made by Mr. Dillon, M.P., on the 7th of November, 1886, at Keenagh, in county Longford, of which I have a very full report. I am not going to read the speech now, but I will give my learned friend the reference to it. This speech shows that there was a principle being preached by members of Parliament. In that speech Mr. Dillon alludes to what had been done in Kerry and other places, and asks the people of Longford and Westmeath to do the same, Mr. REID.—Let me have a copy of the speech.

The ATTORNEY-GENERAL.—I have not a particle of objection to the whole of this speech going in as part of what I am going to prove. It is a speech of some eight or nine pages long. I will hand it to my learned friend, and it may appear as though I had read the whole of it at the present time.

SIR C. RUSSELL.—I think it had better be put in in the ordinary course.

The ATTORNEY-GENERAL.—I beg your pardon ; I have referred to it now, and I think it better it should go in at the present time. If my learned friend wishes me to read it now I will do so. I have handed my learned friend a copy of the speech in the same way as I have done the other speeches, and I will treat it as being a speech I have referred to as a specimen not dealing altogether with the county of Longford, but referred to because I have just previously made the observation that this was in practice preached as a system, that this was preached as something which was to be practised by reference to what had been done in other counties and other places.

Mr. REID.—I only asked for a copy of it—that is all.
The ATTORNEY-GENERAL.—I quite agree. I shall be glad to give you a copy.

SIR C. RUSSELL.—I do not find it is in the particulars. That is the reason we asked for a copy.

THE ATTORNEY-GENERAL.—As a matter of fact, I believe it is in the particulars ; but I will take care the particulars are amended if it be not. (A communication was here made to the Attorney-General.) My Lords, I find that my learned friend is right. It is not in the particulars. I will see that the particulars are amended so as to include the further speeches.

THE PRESIDENT.—Take care that is done, and the sooner it is done the less ground for complaint there will be.

THE ATTORNEY-GENERAL.—Your Lordship is quite right, and I will take care that the particulars are amended as soon as possible.

SIR C. RUSSELL.—We are not making any complaint at all. My learned friend Mr. Reid merely asked for a copy of the speech.

THE ATTORNEY-GENERAL.—I will take care that tomorrow the particulars are amended.

THE PRESIDENT.—Not only with regard to this speech.

THE ATTORNEY-GENERAL.—No ; I mean with regard to other speeches, because we may have received, and I think we have received, several other speeches since the time those particulars were delivered. Now, my Lords, I want to read a few speeches that were delivered in the county Clare.

SIR C. RUSSELL.—All I was suggesting was that if my learned friend did not propose to read it now it had better not go in now, but in the ordinary course.

THE ATTORNEY-GENERAL.—Then I had better read it now.

SIR C. RUSSELL.—I am sure I do not want it read.

THE ATTORNEY-GENERAL.—My learned friend could not be unreasonable.

SIR C. RUSSELL.—I do not wish to be.

THE ATTORNEY-GENERAL.—I will just read as many passages from this speech as I contend make good my proposition. I do not want to do more than that, and I only hoped for once I might possibly save a little time. In the early part of this speech Mr. John Dillon said this—

SIR C. RUSSELL.—Read it all.

THE ATTORNEY-GENERAL.—I will read it all if you wish.

THE PRESIDENT.—No, do not be induced to read it. You, Sir Charles, do not wish this to be made an exception to the rule we have already made? The portion which is read will be indicated in some way or other.

SIR O. RUSSELL.—No, my Lord; on the contrary, I wish that the rule should be followed. This is a long speech, and my learned friend proposes that the whole of it should be printed, although he only intends to read certain passages in it. To that I have no objection. On the contrary, I want it to be done.

THE ATTORNEY-GENERAL commenced to read certain paragraphs only of the speech, when

MR. REID said,—May I ask my learned friend as he is reading this, and as I am appearing for Mr. Dillon, whether he will read the passage where he stopped with reference to the Woodford matter.

THE ATTORNEY-GENERAL.—After that observation, I think that it is better to read the whole of it. I am sorry to weary your Lordships, but I have no doubt that observations will be made upon me if I do not. Therefore I will read it. It is as follows:—

“Men of Longford and Westmeath, could any one for a moment doubt when looking at the thousands that are around this platform to-day that if you were but organized among yourselves, and acted together loyally, one man with his neighbour, under proper leadership, you need have no fear for Lord Annaly or Matthew Weld O'Connor in this part of the country. (Groans.) You know as well as I know, that the only thing to stand between you, the people of Longford and perfect freedom in your own homes, ay, and low rents on your own farms, is the difficulty to get you to organize together and follow as one man the lines which we have laid down for you. If Lord Annaly or Colonel King-Harman believed for one moment (groans) that you, the people of Longford, would follow out the policy which we recommend to you and not betray each other and would take no terms one man that was not given to all, I say if they believed that to-morrow you could fix your own rent. The reason why they show you no mercy here in Longford—the reason why Lord Annaly refuses a penny of reduction, while the Marquis of Lansdowne in Kerry is giving 20 per cent., ay, on the judicial rents—the reason is, because in Kerry they know how to stand up and defend their homes, and because in Longford you

have been too quiet. (Cheers.) Believe me, if in the South of Ireland the landlords are very gentle—not all of them, but a great many of them, and those the biggest fish—and are giving good reductions on the judicial rents, while I am sorry to say that the landlords here won't give a reduction on the old rents even. (Cheers.) Well, now, who have you to blame for that? Yourself, and no one else. If you organize in this county; if you did as the Kerry boys did—I don't mean to say by that I want you to become moonlighters. What I mean to say is this, that you must show the landlords, you must show the agents, you must show the bailiffs, and every single man who hangs round the rent office if he is against the tenant you can make him suffer for it. (Cheers.) Look at the lesson that has been taught the people of Ireland by the people of Woodford. Now, I say to you, how are you to make those men who stand by the landlords, who assist in their evil work—I ask, how are you to make them suffer? I don't mean to assert to commit any act of violence; on the contrary, I have always warned the people of Ireland against that course. What I do say I know by experience—that where the people are organized, and are loyal to each other, they can make those men suffer and tremble in their shoes without raising a single finger against them."

Yes; but if these men have courage enough to stand their suffering, inflicted upon them by the organization, they will find that the fingers will be raised against them. Mr. Dillon goes on to say:—

"I have seen men the most bloody and overbearing hungry landlords—I have seen them come to the committee of the League branch begging for mercy, men who, a short time before would have given very little mercy to any farmer in the country. So I say you must learn, if you want to have any justice here in Longford, you must learn to direct attention to bailiffs and agents. Now, I want to say a few words about the lesson that has been taught to Ireland by the little parish of Woodford, in the south of Galway. (Cheers.) Now, the people of Woodford had a man to deal with, as tough a customer as any landlord in Ireland; in the first place a rich man—very rich; and in the second place he lives away in London, no one knows where. Now, the people in Woodford—there are 320 tenants

in that parish, but it is only portion of the estate, and last November, only one year ago, these people asked for a reduction of rent, 25 per cent. Well, Lord Clanricarde did not take the trouble of answering their letter; he never noticed it, although a bishop's name was signed at foot. The people, 320 tenants in Woodford, came to the result that they would not pay one shilling until a reduction was given them. That struggle commenced a year ago, and I wanted to lay before you the net result of that year in Woodford. The Government have expended thousands of pounds in an expedition to that country; Lord Clanricarde must have lost at the very least £3,000. What did he succeed in doing for all this outlay on the people of Woodford? He has only got six men out of their houses. He has got six men evicted. It took him a good long time—a whole year—to get these six men out of their houses; and recollect that the 320 tenants have not paid one shilling yet, nor will they pay a shilling. (Cheers.)

Your Lordships will be able to judge how far that passage will assist my learned friend.

The PRESIDENT.—I must again say this, Mr. Attorney-General, you have done all you have in compliance with Mr. Reid's request, but you must act upon your own judgment now. You must not read the whole of the speech if you do not think it to be material to your case. It will all be printed, and we shall have an opportunity of seeing the context.

The ATTORNEY-GENERAL.—I have handed a copy of the whole speech to my learned friend. Now I will read the part of the speech which I was about to read before. Mr. Dillon goes on to say:—

“He picked out—of course landlords always do. He picks out four men to pay their rent. A great many of these Woodford tenants are too poor to pay, as many of you are. He picked out those he knew to be of good reputation in the parish of Woodford, and he went into the place with 800 men at his back. Well, now, although no blow was struck, it took those 800 men ten days to get those four men out of their homes, and this has been the result. That took place two months ago, and Lord Clanricarde has done nothing more since. . . . The people of Wood-

ford have set an example that they have a right to be proud of, and all Ireland should be thankful to them. When the four men were selected to be evicted they defied him ; and although they are out of their homes to-day they are none the worse of that. They have comfortable houses provided for them, and they are supported by the public funds of the country, and they will be supported as long as there is an organization in Ireland on behalf of the tenants. They were the first to fall in the struggle, which will benefit the population of Woodford and keep back the evictors from the door of the poor man. They fell in the struggle which has done good to the tenants' cause all over Ireland and in America. Now, what I say is this, that if we had 30 or 40 or 200 Woodfords in Ireland, where would the landlords be ? If it took so many thousand pounds to evict those four tenants of Lord Clanricarde's. If all Ireland was organized as Woodford the Irish tenants' case was settled. There would be no rack-rent or oppression in this country. The only difficulty we have to contend with is the difficulty of getting the people to organize amongst themselves. This is the case, I find—I am sorry to find—in many districts in Ireland. While they like very much to read descriptions of fights in other countries, while they are very glad to get all the benefits they can by the fight, they don't like to fight the battle themselves. I say that the secret of success is this, to have every parish in Ireland stand out at the same time, and the Government would not attempt to carry out a war of extermination against all. The difficulty is that when a parish like Woodford makes a gallant stand it is almost alone. Now, I said a few moments ago that the men evicted in Woodford are none the worse for being evicted, and I say it again, they are none the worse of it, because in point of money they are richer men to-day than ever they were in their lives, and know perfectly well that before this war is done they will be back in their farms at a lower rent. No man, of course, dare take the farms, and no man ever will, as long as they are out of their farms."

What does that expression mean I should like to know? "No man, of course, dare take their farms."

The speaker goes on to say :—

"Clanricarde instead of getting his rent, he has two or three Emergency men in each farm

with five policemen to guard the three ~~Emergency~~ agency men. (Groans.) So it must cost him at least £4 a week to guard each farm. How long do you think he is going on with that game? And if he goes to evict ten or 15 more, likely he will have to pay £40 or £50 to protect these farms; and all I can say is, that as long as he likes to go on with that game, I am quite ready too. (Cheers.) Meanwhile the rest of the people of that parish have stood like men, and not one shilling will he get from the people of Woodford until he reinstates these tenants and gives the rest good terms."

My Lords, this is a Court of law, and I ask your Lordships to judge whether that is an instigation to legal or to illegal conduct. Mr. Dillon goes on to say:—

"Now, I want to say this, that the people in America—the Irish in America—are assembling in great meetings now, and collecting money for evicted tenants. Now, we expect to get very large sums, and this I want to say to the people of Ireland, that we shall take care in Dublin that the money goes to tenants in those parishes who are fighting like men for their rights (cheers), and not a shilling of American money shall we send to any district which will lie down and allow themselves to be trampled upon, and every penny of it shall be sent to districts where we see the people standing up like men for their rights—and remember that the right thing to do is help those who have the courage to help themselves. (Cheers.)"

Is that instigating to legal conduct and to obedience to the law? Is it not the clearest and the plainest invitation to those men to break the law, to decline to pay the rent which they can pay, and to assure them that if they decline to pay it they will be supported by American money? The speaker goes on to say:—

"I have a word to say on this question of rents here. You know perfectly well that the men who went in recently on the estates of Lord Annaly and King-Harman to the Courts got very different reductions from those who went in two or three years ago. I don't know whether any of you recollect that when the Land Act was first passed we advised you not to be in a hurry going into the Land Courts, and I am sorry that the Irish tenants who went into the Land Courts against the advice of Mr. Parnell and the Leagues

would give a great deal they had not gone in at all. Now, the men who were slow to go into the Courts are the men who are getting justice, and, in my opinion, the Land Courts never did begin to give justice until last year. What do we see at the last Land Sessions? Why we see Lord Annaly's rents and King-Harman's rents were cut down in many cases 50 per cent., and in many other cases 40, and in some of Lord Annaly's as much as 60 per cent. Now, in the face of this, can these men have the audacity to say they won't give reductions to the men who are broken down with rack-rents and obliged to go into the Courts, or who went into the Land Courts too soon and got no decent reduction? All I can say is this, that if the people here submit to such treatment as that, they deserve very little sympathy from the rest of Ireland. Now, I want to direct your attention for a few moments to what took place in the Court-house, Ballinasloe, about a fortnight ago, in reference to the question of Griffith's valuation as a test relating to rent. Mr. Kane, who was President of that Commission, said—he was giving judgment on some cases which had been heard at Strokestown. He said:—‘In reference to these cases, and a good many others, I think they ought to be enough to remove from the minds of the people the idea that Government valuation was a good guide to the value of the land, and to show that the valuation was in some cases utterly and disproportionately high.’ Then he went on to give judgments, and I ask you to listen to some of the judgments he gave. The first is Michael Harlow, valuation £5 14s., judicial rent £3; Pat Harlow, valuation £13 12s., judicial rent £8 5s.; you see these are nearly 40 per cent. below Griffith's. The valuation in the next is £10 11s., judicial rent £6; valuation £20, judicial rent £14. Now, I say that those of you who are making up your minds to pay a fair rent should carefully consider these decisions of the Land Court. I long ago made up my mind from observation of a certain class of land in Mayo and Roscommon which I knew something of, Griffith's valuation in many cases is nearly double the valuation of the land. Now, in my opinion, on poor, light land and land that used to be tilled, Griffith's valuation is above double the value, and the Land Commissioners are only discovering that now. If you had taken our

advice three or four years ago and held away from the Land Courts ; if you had not been so anxious to get in, they would have done justice then instead of now. They, therefore, saw this, when they saw you all so anxious and in such a hurry to get in—it was like the old story—' Come into my parlour, said the spider to the fly.' If you had not gone in such a hurry they would have begun to give big reductions, but when you went in a hurry and a rush ' We have you here now and we will give you very little.' Now while the men who have not gone in yet are the lucky men, they did not go in too soon. But what was it, and why, I want to ask you, why is it that this year the Land Commissioners are giving so much better terms ? The one reason, I am certain, because the land agitation is rising again, and the moment agitation rises again in the country, the country begins to organize, and that moment the farmers get better terms from the landlords. (Cheers.) Now, see what is going on in the county Kerry. Kerry, up till recently was the worst treated county in all Ireland. The rents were higher, and there were more evictions by far than in any other county in Ireland. The Kerry people did not lie down. The Kerry people showed some fight. The Kerry people showed that if farms were evicted no man would step into his neighbour's shoes, and to-day in the county Kerry there are 300 or 400 farms on which no man dare lay his foot."

Now, I would call the attention of your Lordships to these words. What is the meaning of this reference to the alleged fact that " in Kerry there are 300 or 400 farms on which no man dare lay his foot ?" It may be said that I am guilty of repetition, but I wish to impress on your Lordships the result of this organization—that people dared not take land even under a lawful bargain, and here is Mr. Dillon boasting that in consequence of moonlighting, of firing into houses, of murders and woundings, there were 400 farms in Kerry on which no man dare lay his foot. This speech was a direct invitation to the people to imitate this conduct. Mr. Dillon proceeds :—

" What is the result of that ? The result is that they sent down a general officer named Buller to put down moonlighting and coerce the Kerry tenants. But wait till I tell you what happened. General Buller had not been two months in Kerry before he began to

coerce the Kerry landlords, not the tenants. And at the present moment in Kerry it is the Kerry landlords who are down on General Buller, and not the tenants. The other day when Lord Kenmare assembled a large force of police for the purpose of carrying out these evictions we have heard so much about, General Buller ordered the police to go home and sent a circular to Lord Kenmare; he would not allow any police to evictions until he had first found whether the eviction was cruel or not. (Loud cheers.) Well, that is exactly what we asked the Government to do two years ago, and what we asked them to do last year and last spring, and they said they would do nothing of the sort; and do you believe they would do it now if the Kerry people had submitted peaceably to be driven out of their homes? As long as the Irish people submitted in peace to be persecuted and exterminated so long as one had a word of mercy for them, but when they arose as in Kerry and struck back blow for blow against their oppressors, then the Government began to think there must be some justice in the people's claim. The lesson I have to teach you is this, if you want to save yourselves from cruel exterminating ruin and extermination, if you want to prevent men—every man of you according as you get too poor to pay—from being driven from your homes, and with nobody to sympathize with you, you must begin in time, you must organize now, you must stand shoulder to shoulder—those who can pay side by side with those who cannot pay; you must show the landlords and the Government that if they are going to extremes to harass the tenantry of Longford, you will want a general officer down here as in Kerry." Then, after a reference to persons who had assisted in previous agitation, occurs this passage:—

"We call upon you to adopt this policy in order to destroy that system which has been the curse of Ireland, and which has ruined the homes of her people and driven thousands out of this country. We call upon you to adopt this policy, and to destroy that gang of men called landlords (cheers and groans), who never in the past history of Ireland have shown the smallest sympathy for her people, or the smallest interest in her welfare, and who in every demand that has been made in the past to set free our country and assert her nationality, these landlords have always stood

as foremost, and cruellest, and bloodiest to put down the national ranks. Believe me when I tell you until you have done this, and taken out of the hearts of the Irish farmer that fear, which is too much, of the agent and the landlord, you never will see in Ireland a free people and you never will see this country able to make its own laws. On the other hand, if you, by following the policy we recommend to you, crush landlordism and its agents"—

I notice that when yesterday I, by accident, used the words "exterminate landlords" in a speech of Mr. Davitt's instead of "exterminate landlordism" I was corrected; but to "exterminate landlordism" means exterminating the landlords who are in the position of persons to whom the "ism" can be applied. I submit it is true that at this time there was a determined and organized attempt to break down the ordinary relations of landlord and tenant, upon which the position of landlord and tenant rested and was established. Mr. Dillon proceeds:—

"If you do that, you will have for yourselves not only happy and free homes, but for your country freedom and independence. Because that power which has sat between you—in the path of Ireland in the past, that power which has more than anything else under the sun denied Ireland the liberty and right to govern her own country, that power which has poured upon our country poverty, disturbance, destruction, and misery—has been, I say, more than anything else under the sun, the power of Irish rack-renting and evicting landlordism. (Cheers.) And if you will only make up your minds to organize, and follow the example set to you by Kerry and by Woodford, you will enable us to crush that power, and to put an end for ever in Ireland to tyranny, extermination, and rack-rent. I have only to say, in conclusion, that I advise every one here who is listening to me to-day to take up and read the 'Plan of Campaign' which was published in *United Ireland*, to keep that in his house, and whenever any estate is going to organize, and demand terms from the landlords, that they follow as nearly as they can the policy which is there laid down, and which we have carefully thought out for the guidance of the people of this country. If they will do that, as I have no doubt, they will succeed. But, in conclusion, I appeal to you all in this struggle, in order,

that this policy may have an effect, let every individual man in every parish enrol himself in the ranks of the League, attend the meetings, and elect officers in whom you have every confidence as honest men, and when you have elected the men in whom you have confidence, then follow these men on to victory." I come now to the speeches delivered in the county Clare in 1885, 1886, and 1887. I have a great number, but I will only read a few.

THE PRESIDENT.—Do you not think that the speeches which you have already read have given us a sufficient indication of your line of argument? But I do not wish in any way to check you.

SIR C. RUSSELL.—I shall be quite satisfied if my friend hands me copies of the speeches on which he relies.

THE ATTORNEY-GENERAL.—I am very much obliged to your Lordship for this intimation. But I think I must trouble your Lordships with one or two more speeches.

THE PRESIDENT.—Having said what I have, I leave the matter entirely to you.

THE ATTORNEY-GENERAL.—Thank you, my Lord. Your Lordships will notice that I have made a selection of counties. I might have travelled all over Ireland, but I have not done so. I have, however, after consultation with my learned friends Sir H. James and Mr. Murphy, thought it necessary in the exercise of my responsibility to call attention to many speeches, because they are by different speakers, and they show, as I allege, the nature of the organization. But I will be as brief as I can. I quite understand your Lordship's suggestion, and I shall, as far as I can consistently with my duty, shorten the quotations I have to make. At Kilkishin, county Clare, on the 1st of March, 1885, Mr. P. J. M'Namara, who was a National League organizer in more than one county, made a most violent speech, in the course of which he said, "Propagate the seed of the National Land League—what the men on the Manchester scaffold died for. If you want to achieve what they did, join the League as a means. Dublin Castle must fall." On the 24th of May, 1885, speaking at Tulla, county Clare, Mr. William O'Brien, M.P., said:—
"Three years ago, when the Crimes Act began, it found the country staggering after a fearful series of blows, and with nothing but an infant organization struggling into existence. Has it crushed that organiza-

tion? No; on the contrary, the three years that have passed of merciless and bloody coercion have only braced up the strength and courage of the Irish nation and cemented them together, perhaps, in an organization the most methodical, deeply rooted, and most formidable that ever threatened English rule in Ireland. If they passed the Crimes Act for the purpose of putting down boycotting and popularizing land-grabbers, I don't think they have succeeded in either of these objects. I am sorry to think, by one of your resolutions, that the land-grabber is a species of reptile not yet quite extinct, but wherever I find a land-grabber still poisoning the air I generally find it is the fault of the people rather than the law, because I defy all the Crimes Acts that were ever passed to prevent the people from making a land-grabber—a man who steals his neighbour's farm and cuts his neighbour's throat—to make him feel that he is an outcast and an object of scorn and contempt and loathing in the sight of his neighbours. They may prevent you calling it boycotting, but boycotting by any other name is just as effectual a process. In fact, it sometimes occurred to me that, next to Mr. Harrington, Earl Spencer is the best organizer the League ever had. He has improved our organization, for by his proclamation he drove the people from big meetings, where little practical work was done, to private meetings, where there was less talk and more work. Nothing can prevent you continuing the glorious work begun by Michael Davitt at Irishtown and exterminating landlordism root and branch, and all its seed, breed, and generation. It has pleased God that our lot has been cast in days when we can enjoy the religious equality, education, political power, and social emancipation that our forefathers sighed for and spilled their blood for in many a hopeless age, and we would be unworthy of our ancestors, we would deserve the scorn and indignation of those that would come after us, if, in this day of dawning hope and power for the Irish, we ever falter or flinch until we have banished the twin demons of landlordism and of English rule for ever from our shores (cheers), and until we have planted on the highest pinnacle of Dublin Castle the flag of a redeemed and regenerated Irish nation."

What right have these members of Parliament, these eloquent and powerful Irish speakers, to go about

advising the people to treat those who take evicted farms as lepers and outcasts? What right have they to denounce him as a "land-grabber," and to urge that he should be treated as a reptile? What sin has he committed? Who is there who will stand up and say that such a man ought to be loathed and intimidated and treated as a leper, and even shot? I hope, at any rate, I am not going too far when I say that that is a view that will not commend itself to any judicial tribunal in any part of the United Kingdom. I shall now call your Lordships' attention to a series of speeches made at Ennis on the 20th of November, 1886, by Mr. Cox, Mr. Kenny, and Mr. Redmond. Mr. J. R. Cox, M.P., said:—"If there was anything needed to keep up the patriotic spirit, is it not enough for us to remember the cause in which O'Connell failed, in which Lord Edward and Emmet and Wolfe Tone failed, and the men of '48 and '67, and that it is given to us to accomplish?" Mr. Kenny, M.P., said:—

"You know what these men are, and you must know also how to fight against them. You know that they are all of the same kidney as Marcus Keane and Dick Stackpool, and, if they could, would not only quench the fire of every tenant farmer in the county Clare, but would pull down the houses around the Nationalists of Ennis. Now, men of Ennis, I heard somebody in the crowd asking me about Maurice O'Halloran. Well, perhaps Mr. Cox does not know Mr. Maurice as well as I do. I promise you I know him, and I will think of him; I know it was he who set the bloodhounds on the track of the innocent boys that are now in penal servitude for life for doing nothing. I know it was he that sent the Delahunty's to a living tomb, and I promise for that, though Maurice has four 'V's' on his arm, I will strip them off his arm yet. I promise you that the blackguards and Shoneens will not always have the government of this country in their hands, and then what we say will be the law of the land, and we will take this system of tyranny and oppression out of the hands of the blackguards who are now doing the bidding of the English Government in this country. You do not know the day, nor the hour, nor the moment the landlords or their agents may set themselves to depopulate the country around here. You do not know the day you may be called upon to act like the men of Woodford. If you join the League you

will show the world that you are as good men as the people of Woodford, and when the people of this country may be attacked, as attacked they will, you must show that you are as well able to resist bailiff and agent as the people of Woodford were. You know how the bailiffs and agents were cured in Woodford, and it is a good example if they try to trample you in Clare."

I would ask your Lordships to notice the concluding sentence of this speech. But a few months before at Woodford a bailiff named Finlay had been "cured" by being shot, and it is impossible to suppose any other interpretation of this reference to the curing of bailiffs at Woodford than that it was intended to advise the people to act in the way that had led to the death of Finlay. Mr. J. E. Redmond, M.P., was introduced to the meeting as the author of "The Truth about '98." He said that—

"The Home Rule movement had been pushed into its present position by the land movement for the past five or six years, and that to-day, when the triumph of the Home Rule movement had been postponed for a while, it was their manifest duty, and their wisest policy to fall back again upon the weapon of the land question. The Home Rule Bill of Mr. Gladstone offered a settlement, not only of the Home Rule question, but of the land question, and the people of Ireland, with that excessive justice which has always characterized them in the past, were willing, in order to bring about a settlement, to agree to extravagant terms of generosity to the landlords. The landlords deliberately refused that chance, and to-day the responsibility be upon their heads if we are forced before the Home Rule question is settled so to drive them on the question of the land, that they in the end will be driven a beggared and God-forsaken and bankrupt race."

On the 21st of November, the next day, further speeches were delivered by Mr. Kenny and Mr. Redmond at Tulla, in the same county, showing that these men were going the round of the county and "organizing it." Mr. Kenny, M.P., denounced Head Constable O'Halloran as "a miserable and putrid companion" of General Buller's, and advised the tenants on the estates of Colonel and Captain O'Callaghan to adopt the Plan of Campaign. Mr. J. E. Redmond,

M.P., called upon the people in the presence of the Government reporter to lift up their hands and promise and declare that the Plan of Campaign will be adopted on every estate in the county of Clare.

"They will find among every large body of men some sneaking and treacherous cowards sneaking behind the backs of their fellows, sneaking in and secretly paying the rent, and in this way selfishly saving themselves and exposing their brothers to the horrors of eviction. This must be guarded against if the landlord is to be beaten, and the tenants are to win." I would now call attention to the speeches delivered on the 23d of January, 1887, by Mr. S. J. Meany and Mr. Cox, M.P. Mr. Meany said :—

"Every one knows, who knows my record, that if I had my will I would have another Plan of Campaign. However, we must not imperil the great cause, we must not endanger the triumph of what they call a constitutional success, by the teaching of any unconstitutional doctrine. This I must say in defence of my own career, that I have made a vow which can know no release but in its fulfilment, and in my calm judgment and deliberate opinion I give my full and entire adhesion to the doctrine of the Irish Parliamentary party as an educational process and experiment towards a final end. (Cheers.) However, my friends, as a representative of the American Press, I shall have pride and pleasure in giving to the American people the assurance of your earnestness and support, as I give you a thorough assurance that in heart and soul, in sentiment and sympathy, your brothers across the Atlantic are with you and with Parnell, with justice to Ireland, full, free, and complete. (Cheers.) Ireland shall be free from the centre to the sea, with a free green flag flying over a free green land, and God save Ireland from the treachery of her own sons as well as from the tyranny of the British Government. I tell you here to-day, my friends, openly and boldly, to train, drill, and arm. ('Bravo.') Don't say bravo till you know what I mean. Train yourself in the exercise of prudence, drill yourself in the quality of self-restraint, and arm yourselves with a firm resolve not to be tempted into crime, no matter what the provocation—that is the training, drilling, and arming I mean."

Mr. Cox, M.P., moved this resolution :—

"That we renew our condemnation of the land-

grabber, emergency-man, and their aiders, abettors, and supporters," and said, "No man should be found in the country so vile or base as to take possession of a farm from which a tenant was evicted for non-payment of impossible rent. If any man had the audacity or the temerity to take that farm, with a heart had and black enough to take possession of that farm, the strength and manhood of the country would come to the assistance of the wicked and make it so hot, or rather so cold, for the wretched land-grabber that he would be very glad to be banished out of that place. Well, you have some evicted farms on the estate of Stackpoole Mahon here. I am very glad hearing you express your opinions by these hearty groans, and I hope that there is honesty and sincerity and manhood behind these groans, and that you will put your preachings by groans into practice, and that you will allow no man to take possession of those farms. This is one of the great tactics of warfare, that you are not to quit either of the outposts conquered, but fight them all along the line. Whenever a landlord evicts a tenant for non-payment of an impossible rent we have an outpost conquered as long as the farm remains idle and vacant, but if we allow the land-grabber to take possession of that farm, then it is a fort or outpost taken from us. You must see that there is manhood and strength enough in this part of the country that no contemptible creature in the shape of a land-grabber will take possession of it. If there is a shopkeeper or tradesman in this country who will supply emergency men in possession of an evicted farm that man is not one whit worse or less contemptible than the emergency man or landlord himself. You must fight this battle all along the line; wherever you see a weak point in the enemy's ranks, charge there." Such is the speech of Mr. Cox, a member of the National League and one of Mr. Parnell's Parliamentary followers, and this is in January, 1887. Your Lordships will not fail to notice that Mr. Cox, Mr. Redmond, and Mr. Kenny, and this American, Meany, are all there together taking part in "organizing" the county, or whatever other word is the proper name by which to describe what they were doing. There are in the county Clare many outrages, but I will pick out two which have a direct bearing on the suggestions made in that speech of Mr. Cox. One of these occurred

in April, 1885. This case covers a considerable period of time, and is a good illustration of the way in which this system was worked.

The PRESIDENT.—I thought you said you were giving an illustration of the effect of Mr. Cox's speeches. Is not this before the speeches of Mr. Cox which you have read?

The ATTORNEY-GENERAL.—Yes, that is so; but at any rate it is an instance of the practices which Mr. Cox advocated. I admit it is before Mr. Cox delivered his speech. A man named Perry was agent to a Mr. Brown, who had let a house in the village of Tulla at a rent of £2. The tenant, a man named Conheady, had occupied it for many years. About the end of 1884 the lease fell in, and Perry wanted to raise the rent from £2 to £3, which Conheady refused to pay, and he gave up the house. A butcher named M'Namara, of Tulla, took the house at the rent of £3, which, having regard to the fact that it was situated in a village, does not appear to have been a very high rent. Perry was summoned before the League, and he did not attend. M'Namara was then summoned before the League and ordered to give up the house. He asked for time, but before he could get another house he was boycotted and could do no business whatever. Perry's labourers were ordered by the League to leave Perry's employment, which they did. They afterwards attended before the League committee and asked permission to return to their employment, as they could not get any other; but this was refused. Your Lordships will hear again and again of this Land League committee. On Easter Sunday, the 5th of April, Perry was fired at in broad daylight as he was returning home from church. Perry was then boycotted. He could not get men to save his harvest, and had to employ men from the Property Defence Association in Dublin. His brother, George Perry, also suffered on his account. A man named Hogan, who took hay from him in lieu of wages, was noticed to attend before the League at Tulla on the 6th of September, 1885, and, having presumably failed to satisfy the committee, that same night his house was broken into, he was dragged out in front, and severely beaten with sticks. M'Namara left the house in September, 1885. It remained untenanted till June, 1886, when it was given back to the former tenant. I submit that this was only an

instance of the organized system of intimidation that was carried on. The other case I will mention is that of John Byers, which exemplifies the practical carrying out of the advice given by Mr. Cox. Your Lordships will recollect that he said, "We have an outpost so long as the evicted farm remains idle and vacant, but if we allow the land-grabber to take possession of that farm then it is a fort or outpost taken from us." In November, 1886, Timothy and Thomas Lynch were evicted from a farm which they held from Mrs. O'Grady at Glenagh, county Clare. Immediately after the eviction, John Byers and Michael M'Manus, *employés* of the Property Defence Association, were placed in charge of the evicted farm as caretakers and were afforded police protection. On the 23d of January, 1887, a meeting was held in the neighbourhood which was attended by Mr. John O'Connor, M.P. The notice calling the meeting stated that it would be held under the auspices of the National League, and that its object was to call attention to the action of evictors and rack-renters in the locality. "Some are already evicted and some are under sentence," said the notice. Mr. Cox recommended that emergency men should be boycotted. This meeting was on the 23d of January, 1887. On the 14th of February, 1887, Byers and M'Manus, accompanied by a sergeant of the constabulary as an escort, were returning from the railway station at Ballycar, and when only a few yards from the station six shots were fired at them. Byers received a charge of shot in the loins, from the effects of which he died two days afterwards. A coffin could not be procured for his remains in Ennis, and one had to be sent from Dublin. His wife, who arrived just in time to see him die, was groaned and jeered at. M'Manus was wounded in the elbow, and the sergeant received a charge of shot in his side. I would ask your Lordships what judgment you will form when you bear in mind the speeches delivered at the recent meeting which directly pointed to these unfortunate individuals, who in what they were doing were merely earning their livelihood. There are a few speeches—only a few I am glad to say—delivered in the county Mayo about this time to which I intend to refer. On the 20th of September, 1885, a meeting was held at Glenvalley to establish a branch of the National League. The delegates

were James Leonard and John Mulligan. Leonard said :—

“ The grabber was in their midst, to have no dealings with him, no matter where he was met ; to shun him. Do him no injury, either by burning his house or murdering him [here the speaker smiled, and looked and raised his hand in the direction of the house of John Regan, which was in view of the meeting]. Denounced landlordism, and told the people to pay no rent ; to keep their money in their pocket, as they would be very soon called upon to pay the cursed set of landlords.”

John Mulligan said—

“ They all knew that the object of this meeting was to organize a branch of the Irish National League, and to denounce land-grabbing, grass-grabbing, and landlordism. He was sorry a case of the kind occurred close to where the meeting was held, and also another case at Stonehall. Now the punishment for that crime of grabbing was to hold no communication, directly or indirectly, with him ; to pass him by on the road, as if he was some unclean reptile. That such men were the curse of this country, and the friend of the vampire class—the landlords. Such a man was worse than the devil, and should be consigned to the lower pits of hell.”

It is noticeable that in the whole of these speeches the “ land-grabber ” is spoken of with even more bitterness than the landlord. On the 27th of September, 1885, at Irishtown, P. J. Gordon, whom your Lordships may remember was an organizer in several parts of Ireland at an earlier period, condemned land-grabbing and said the land-grabber was “ accursed of God ” and ought to be boycotted “ in the market place and the chapel.” At Castlebar, on the 3d of November, 1885, Mr. Parnell, Mr. Sexton, Mr. O’Kelly, and Mr. Dillon were present. A Mr. P. W. Nally, whose violent speeches delivered on other occasions I have already read, and who was undergoing ten years’ penal servitude for conspiracy to murder, was nominated by the delegates to the Convention as Parliamentary candidate for the county. But after a stormy meeting the delegates were over-ridden by Mr. Parnell

and his selections were nominated. Mr. Parnell and Mr. Dillon, Mr. O'Kelly and Mr. Sexton, however, all spoke in high terms of Mr. P. W. Nally.

SIR C. RUSSELL.—You are mistaken, I think. It was J. W. Nally that was proposed as a delegate.

The ATTORNEY-GENERAL.—That is quite another person, as I think will turn out. But for the purposes of my argument it makes no difference, for both of them made speeches and there was not much to choose between the violence of one and the other. I am told it was P. W. Nally.

SIR C. RUSSELL.—I think you will find it was not. He was known as Scrab Nally.

The ATTORNEY-GENERAL.—It is quite possible I may be mistaken ; but I am stating what I believe to be the facts. Mr. Dillon at this Convention said he had spoken to the leaders of the National movement in America, and they were anxious that Mr. Parnell should be loyally supported in order to see what his policy would do. The Irish Nationalists in America would prefer, if the opportunity arose, to appeal to a different tribunal from the English Parliament. They are anxious that for the present, when there is no opportunity of doing anything in the active field, that their support would be given to Mr. Parnell, because they believe and are convinced that Mr. Parnell and his party are honest enemies of English rule. Is not Mr. Parnell and his party an enemy of English rule in Ireland? "Let you all join the League, and put down land-grabbing. Any man who evicts a man, you know how to take action accordingly." At the same meeting Mr. Parnell said :—

"I tell you this to-day, that whenever 90 honest Irishmen have been returned to the English House of Commons it will be the last time they will ever be returned there. Mr. Nally is a man who has performed great and important services to the cause of the Land League. I believe of him that he is one of the many victims to the infamous system which existed in this country during the three years of the Coercion Act. I believe he is a victim of the conspiracy which was formed between Red Spencer and the informers of this country. I am convinced he is innocent of all crime, and in a marked degree of the offence with which he was charged, and I consider it is our duty not to rest

until we have caused the prison doors to be opened on these men." (That shows clearly, my Lords, that the Nally referred to was the man who had been sent to penal servitude.) "I have to declare that we shall never accept, either expressly or implicitly, anything but the full and complete right to govern and manage our own affairs, and work for our own nation, and to secure for her—free from outside control—the right to pursue her own course among the people of the world."

Your Lordships will know why I have read that speech, for you will remember that in his Cincinnati speech, which I read yesterday, Mr. Parnell said he wished to see the last link which bound Ireland to the United Kingdom dissolved. Here, again, we have practically the same sentiment expressed, and your Lordships will find that in many cases Mr. Parnell has made speeches which would render it impossible to believe that he did not say what he was represented as saying at Cincinnati. On January 10, 1886, Mr. J. J. Louden, one of the officials both of the Land League and of the National League, made a speech, at which Mr. Hastings, of Louisberg, a representative of the *Irish World*, was present, and in the presence of this American representative, we have from Mr. Louden the same enunciation of the purpose which was put forward by Mr. Davitt in America, and adopted by him as the first plank of the Land League platform. I shall show that on January 19, 1886, at Claremorris, speeches were made by Mr. P. J. Gordon and Mr. John Redmond, and in that speech of Mr. P. J. Gordon, made in the presence of Mr. John Redmond, three men—Kilkenny, John Walsh, and Fitzpatrick—were referred to by name and denounced as land-grabbers in the strongest possible language, as well as some other men in the neighbourhood who had been guilty of the same offence, and the people were told how they were to deal with land-grabbers. On March 21, 1887, at Ballinrobe, Mr. Crilly, M.P., attended a National League meeting, and Mr. P. J. Gordon spoke in his presence. He said:—

"I feel glorious in the hope that my speech will be in Castle company with Mr. Crilly's, fearless of the consequences of a prosecution from the Government. We have adopted the Plan of Campaign on the property of Daly, and intend to follow it up until the vestige of landlordism is swept from Ireland. Cecil Roche put them out on the road at the point of the

bayonet; it was then that I came to the front in defiance of any British law to help this great struggle. If the glory of England is worth fighting for, the honour of Ireland is worth fighting for. I ask you to adopt the Plan of Campaign, no matter in what property the land thief has demanded you to pay the full rent. Arise to your feet like men and like women! Try and leave your hand on your breast. You are bound as honest Irishmen to fight out the land thief, and against the bloody British Government. There is another fouler wretch than the landlord—the land-grabber. Fight it out manfully; landlords and land-grabbers shall be put into one ship and banished. I helped to sole, heel, and welt the land thief, and put a pair of toe-caps on the land-grabber. That is my profession, and that I am proud to boast of here. I am determined to finish it, and I will fight out that battle until Mr. Daly and every other rack-renter in the parish is brought to his knees. I am prepared by one solemn pledge, and that pledge is—to stand by my people until landlordism is crushed. Mr. Daly has robbed and plundered the country, and has told them in the court-houses, and if we cannot bury him in a small coffin, we will press him in a large one.”

Now, my Lords, I will take but one representative outrage in the county of Mayo, and that is the firing into the dwelling of Michael Gillespie at Ballyduff on December 25, 1886. In November, 1886, a man named Burke was holding a farm. He got into difficulties, and a grocer named Moran sued him for his debts. I ask your Lordships just to note this, that it has nothing in the world to do with the land agitation. Your Lordships will see how the organization is used. The work is spread at the instance of the ordinary creditor. Moran sold the farm, he got possession of it, and put in a small cottier named Michael Gillespie, who lived on the farm in another capacity, as caretaker. There is no question here of eviction of another tenant, or of taking possession of the land. The unfortunate man Gillespie was put in to take possession when Moran had recovered the farm in an action of debt. In December of the same year some men fired shots through Gillespie's window, and served a notice upon him informing him that if he did not cease to negotiate with the land-grabber Moran for buying Burke's farm, he would be treated in the same

way as other land-grabbers. I pick that case out for the purpose of calling your Lordships' attention to the fact that this tyranny seemed to be made available for any person who desired to complain, and who was in a position to command the services and the revenues of the organization; and the sole cause of complaint against this unfortunate man was that he had been put in to take charge of the farm when Moran obtained possession of it in satisfaction of his debts. Now, my Lords, I am obliged to call attention to a series of speeches in Galway, from which I am glad to say I can make a considerable expurgation; but there are certain speeches which I think it right to read as they deal with certain specific outrages which will form the subject of evidence to be laid before your Lordships. I think the earliest of these speeches I can summarize. A meeting was held at Kilkerrin on April 12, 1885, at which were present Mr. James O'Connor, of *United Ireland*, Mr. Crilly, M.P., and Mr. P. J. Gordon, but the speeches on that occasion, your Lordships will find, are principally composed of abuse of the Royal Family and references to the Mahdi. On April 19 of the same year Mr. Matthew Harris made a speech at Kilreecle, in which he also condemned the visit of the Prince of Wales and eulogized the Mahdi. On August 4, 1885, Mr. O'Connor, of *United Ireland*, Matthew Harris, and Mr. Lanagan again made speeches. I will hand copies of them to my learned friends, but I do not want to read them now. On August 9, 1885, at a League meeting at Kinvara, Father Considine, C.C., made a speech, in which he said:—

“In this great struggle in which you are engaged your worst enemies are men of your own stamp. The landlords are a bad lot, the agents are a bad lot, the bailiffs are a bad lot and all their satellites, but the land-grabber is the worst. (‘He is, they are in this parish.’) They are; and these are the men that are renegades to the cause of Ireland.”

Then, my Lords, a meeting was held at Loughrea on September 10, 1885, at which were present A. O'Connor, M.P., Mat Harris, M.P., John Sweeney, J. Kennedy, Martin O'Halloran, and P. Cowley. The two speeches I wish to read are those of O'Connor and Matthew Harris. Mr. O'Connor said:—

“Though you have been good enough to receive my

name with applause, I regret to find that it would almost have been better for me to be denied the name of O'Connor—(Lord Dunsandle's agent was a Mr. O'Connor)—when coming to this neighbourhood, for I believe there are bad men of that name around here (Cries, 'There are.'). Well, I hope if there is one man that disgraces the name he shall have some time or other to feel the displeasure of his countrymen. While we deplore the sufferings of the people, we have at least the consolation that there is not another district in Ireland has shown any such determined front to landlordism, and I hope that same spirit will continue implacable until the battle is won. The landlords now receive contempt and opposition; but the snake is scotched, not killed. We have further accounts to reckon up. One commotion is just over, and we are entering on another. I don't live in Kiltulla; if I were, I should be ashamed. You will always find that wherever the organization of the people is weak or doubtful, there landlordism will soon be raised up again, and you will have evictions, and be once more at the mercy of agents and their understrappers. There is but one thing to be done against all this ruffianly gang; you must stand together and let them see that the people will not allow themselves to be evicted; you have no right to be evicted; you must not be evicted." (I do not know, my Lords, what that can be except an invitation to the people to resist the ordinary process of the law.) "Many and many a time you have shown a determined front, and I hope that whenever it is necessary you will be prepared to show that spirit again. I know perfectly well the great, brave hearts that beat within those gray coats in front of me. I know perfectly well you would be ready to shoulder a musket in the cause of Ireland if she called upon you to-day. There are occasions when what is good at one time is not necessarily good at another; for instance, in '98 and in latter days, which we won't allude to. Now, one of the greatest difficulties we have had to contend with has been caused by certain kind of outrages. I don't want to be preaching to you. I can perfectly well understand a man evicted on the roadside, seeing his wife and children in ruin and desolation, taking up a gun and shooting the landlord. I can quite understand a man to whom a puppy of an

agent is insolent at once turning on him and giving him a good thrashing. It is about the best treatment he could receive ; but however one may deplore the terrible state of things of which these evils are the natural outcome, any one can see there is nothing very natural about it. There is one form of outrage, to my mind, most distasteful, and every man of human feeling, of decent humanity, ought to put his face against it, and bring the perpetrators to justice. I mean those men who put aside every feeling of humanity and mutilate dumb beasts. If I saw a man doing it I would at once arrest that man and bring him to justice. He disgraces his country. I do not believe there are any men about Loughrea who would allow such things as that, because I know the men of Loughrea. I know Loughrea has furnished some of the best material in Ireland. They are men who do the real work when it is to be done. I hope our enemies in England will not be able to point to one of these scenes in this district. There is no need for that. (Voice.—‘ Shooting landlords is no harm ’). ”

I do not at present comment upon the distinction drawn by Mr. O'Connor between shooting a landlord and thrashing the agent and the killing of animals. Harris said :—

“ In all Ireland there is not to be found a more patriotic, a more energetic people than in Loughrea. In fact, they are so inclined for the work that in these latter days when things are become so cooled down, it has been said the men of Loughrea are very little good in the calm, but the very best in the storm. Well, for my part, I hope I won't be long until we have another storm, and then the men of Loughrea will come forward in the future, as they have in the glorious days of the Land League.”

My Lords, Loughrea was the district in which there had been several of the very worst murders that had taken place in Ireland.

The PRESIDENT.—Is this Harris or O'Connor ?

The ATTORNEY-GENERAL.—Harris, my Lord. Your Lordships can well understand the system that those gentlemen were pursuing, that of making evictions as expensive as they could, so that either the landlords might not be able to stand the expense, or that the money they lost might be many times greater than the value of the house or the amount that was due, in order to prevent any payment of rent and thereby further the

scheme which was to crush the landlords by making the land unproductive in their hands. I do not know whether these speeches are relied on as speeches telling the people not to commit crimes. I think, my Lords, on the contrary, every statement delivered will be found to be a direct incentive to crime, and where any observations were made in deprecation of crime, they were made in such a way that anybody hearing them would understand that the crimes were nevertheless not really distasteful to the persons making the speeches in which the observations occurred. At a meeting held at Ahascragh on October 10, 1885, James Kilmartin said one of the telegrams from America read at the Convention in Dublin had more weight than all other telegrams that came, and that was, "We send you £10,000 for bullets, but not a penny for rack-rents." James O'Connor, of *United Ireland*, asked the people to stick to their organisation; each man to his part in the fierce struggle they were about to enter upon. They were on the verge of a critical struggle, and he had no doubt the struggle of 1879 and 1880 was nothing in gravity and importance to that which was about to be forced upon the people by rack-renting landlords. "Our action with the landlords will be much like the badger in the barrel. Every one of you," he said, "must become a badger, and if the landlord forces you in a corner I think when he sees you have teeth he won't battle to get you out. I think before May next it would be better for them if they had never instructed their lawyers to issue writs. It will be utterly impossible for the farmers to pay the rack-rents or even the judicial rack-rents this winter. If they (the landlords) do not come to a settlement with you, you can let them go to the devil. What reduction you are to get should be determined by the people themselves. Who can prevent you from rising in church and leaving if a land-grabber enter? The people of Galway are determined to fight their landlords inch by inch and foot by foot." Then there was a meeting at Ballinasloe, which I only mention because of the fact that representatives from New York were present. I believe Mr. Larkin, of New York, and Matthew Harris took part in the meeting, and the date was October 18, 1885. At Athenry, on October 26, Matthew Harris spoke again, and John Dillon also spoke. Harris said :-

"For many years it was in my power to go into the House of Commons, but I shared with my fellow-countrymen a strong prejudice against entering that English House, and I wish to tell you, and to tell you distinctly here to-day, that if I go into the House of Commons, I go into the House—the citadel of the enemy, and that I do not go there for the purpose of assisting that House, or the members of that House, in any effort they may make to oppress Ireland, or any other nationality under English rule. If I go in there it will be alone in the interests of my country, and I shall face them in the interests of our common humanity against that monstrous Government, that Government of iniquity that has done more evil than any Government ever done (*sic*) since the creation of the world. In the future I may not be as free to talk as in the past, for I shall have to guide my course by the advice of the Irish people and the Parliamentary party, but in doing so I shall not deviate a hair's-breadth from principle. I shall always keep in my mind—first, the independence of my country, and, secondly, the total and absolute abolition of landlordism. As to joining the Irish party, if I find myself in such a position after joining it as that in the House of Commons I could not progress in that direction towards the two great objects I mentioned, I would no more stay with that party in that House than I would remain in a certain place which I won't mention. Let the democracy of the country, the Nationalists of the country, get their lines firmly fixed upon a great object—the independence of this old country. Keep a strong determined animus against England in your hearts, and do not mind Englishmen, for they are your enemies. They have destroyed, and are every day endeavouring to destroy you, so that it behoves you as Irishmen to keep a firm front against these men, and join together in an organization throughout the country in every possible way; the organization may be objectionable in one sense, but as long as it is against England it has good in it."

I am not aware whether Mr. Matthew Harris supported the party on whose nomination he was elected to Parliament, on the ground that he was able through them to secure the two objects for which he contended—namely, the independence of his country

and the total and absolute abolition of landlordism. Mr. John Dillon said :—

“ We are not electing ordinary members of Parliament, we are electing members of an army, who are to go under a special discipline to carry out the work under enormous difficulty.” (I ask your Lordships to specially note this.) “ You must remember that we are carrying out these conventions under the eye of the Irish people in America, and all over the world, who are watching to see whether Mr. Parnell is in the same position to-day that he was in some time ago.”

I think your Lordships will have no doubt that Mr. Parnell is in the same position to-day that he was some time ago—namely, that he dared not break with his friends in America.

“ I received a newspaper from a friend of mine to-day, Mr. Patrick Egan, from Nebraska, in America, and in that newspaper were two columns of most important news from Ireland, that a great new rebellion had broken out in the Irish Parliamentary party. It was said by Mr. J. O'Connor Power and Frank H. O'Donnell that Mr. Tim Healy had deserted Mr. Parnell, and that it was expected the Irish people would not further submit to Mr. Parnell's dictatorship. These are the kind of lies that are continually circulated in America. Many poor men in America, in the Rocky Mountains, and all over the country, get sick when they read stuff like this, and ask what is coming over the Irish people ; but what must be the delight and exultation with which the Irish race in America will read the telegrams that will go forth in to-morrow's papers containing the news that the Galway Convention accepted every name that Mr. Parnell has put forward ?”

I stated to your Lordships, and I do not think it will be disputed, that the members of Mr. Parnell's party returned to Parliament in 1885 and 1886 were to a very large extent—a very large proportion of them were—nominees of Mr. Parnell, and they were men who had gained his support and claimed his nomination by reason of the services they had rendered to the Land League and the National League, and that is a distinct reference by Mr. Dillon to the fact that the nominees of Mr. Parnell were being put forward for

the purpose of election to the British House of Commons. My Lords, I will put in the whole speech, but will only read certain portions, those parts which I have read being marked. At a very important meeting at Portumna on November 15, 1885, Matthew Harris, James Lynam, and James Kilmartin were present. Your Lordships will remember that James Kilmartin made a great many speeches, and Lynam is a man who has been constantly speaking, and who was sent down by the Land League, I think, but certainly by the National League. I do not wish to read all Lynam's speech, but there are two or three passages in the speech delivered before Mr. Harris which are certainly worthy of notice. James Lynam said :—

"I know, well the responsibility that I incur in addressing you here to-day. In the first place I address you as one of yourselves, one of the people. I know that every word I speak may be watched and thrown in the face of my great leader and chief, Parnell. I am proud to call him my friend who is now doing ten years' penal servitude." (That, my Lords, was a man named Nally.) "Well, at that time the *Irish Times* attacked Mr. Parnell, and they said the class of men he backed up were the men who were encouraging outrages. Now, Mr. Nally never encouraged outrages ; my friend 'Scrab' did that, and he knew what he was about. I will tell you what John Stuart Mill said about the shooting of a landlord. It was in reference to a great charge that the *English Times* brought against Mr. Parnell, saying that the men he was taking into the House of Commons were the men who were encouraging the shooting of landlords. John Stuart Mill said that the shooting of a bad landlord was an act of defensive warfare. Well, how can a man who had nothing left but his potato, and see that potato taken from him, and nothing left for the comfort of his family, be looked upon as anything else than acting on the defensive ? Now, I would like the Government note-taker to take that down. Pat Nally never encouraged in any way what John Stuart Mill justified ; but now I will ask you, let you commit no outrages, and I hope I am not insulting you, because I know you are men. I can see by your earnest faces that you are, and, as I said, you understand your responsibility. Commit no outrage : what I mean is this—

don't be burning hayricks or strawricks, don't be cutting the tail off a mule jackass, and things like that I mean when I am talking about outrages. But I am not going to tell you that you should not boycott a land-grabber."

My Lords, I hope I may be allowed to pause to point out again the extraordinary way in which land-grabbing is referred to by these speakers. They knew perfectly well what boycotting a land-grabber led to, and the contrast drawn between cutting off the tail of a mule jackass and boycotting a land-grabber is very significant :—

"When you meet a land-grabber on the road, a very safe practice for you, gentlemen, would be to put the cross of Christ on your forehead. And also, when you meet one of those cowardly, sneaking, low-lived curs that goes sneaking to the big fellows that they might get into their graces, do the same thing, put the cross of Christ on your forehead."

Then follow other references to Mr. Parnell, in which he says, "If he gets justice to the Irish people it is all well, no matter through what channel it comes." I will read what Mr. Matthew Harris said :—

"It behoved them to come together and ally themselves, one man with another, to put a bold, a stern front against landlordism and the agents of landlordism in this country. All around they see signs of the clouds breaking ; they see every indication that in the near future their country shall be different and their people in a different position, but that should not for one moment prevent them from striking at the tyrant that's at their door. He counselled the tenants of Lord Clanricarde to meet together and draw up a document containing their demand for a fair reduction of rent, to keep clear of agents and bailiffs, to present this demand to Lord Clanricarde, and if he refused to grant the abatement demanded to put the money in the bank."

The reference is to the Plan of Campaign. The remainder of his speech is more historical, but contains nothing fresh when compared with the previous speeches of Mat Harris. At the end of the meeting Lynam spoke again. He said :—

"He was a young man yet, and if he had his way of thinking they should have rifles in their hands.

because if they had an opportunity the true heart, the strong arm of the poorest man in the crowd, could pierce a tyrant's heart twice as soon as the speech of his friend Mat Harris. 'Don't be cutting the tail of a jackass, or burning straw stacks. When I speak of a jackass I don't mean a landlord. Cut the tail off the landlords as soon as you like. Devil a much of a tail the landlords have left.' "

I think your Lordships will be able to judge of what the effect of such speeches as those would be upon persons who were minded to commit outrages, when the contrast is drawn between the animal upon which outrages were not to be committed and the landlord, upon whom they might be committed "as soon as they liked." A meeting was held at Curteen, county Galway, on November 29, 1885, at which Mr. D. Sheehy, M.P., and Mr. Matthew Harris spoke. Mr. Sheehy said :—

"We have two battles to fight; one is to fight against this class" (landlords and land-grabbers), "and the other against the English Government. The landlord class will support the English Government in keeping the red banner of England over this country for many a day to come. Little as our forces in Ireland are, great are the forces that the scattered sons of the Clan-na-Gael bear in other countries. And all these forces are with us to a man, ready to send us their dollars, ay, and to back their dollars with men, if need be."

Mr. Matthew Harris made a speech, which I will put in, but I will not read it at the present time. On November 18, 1885, occurs a speech of Mr. John Roche, at Woodford, in which he refers by nickname to an unfortunate man named Finlay. The passage in the speech runs :— "The landlords had their 'Balaclava,' serving processes, but the people would have their Fontenoy." I am informed, my Lords, that the Irish people have always considered the battle of Fontenoy as a victory of the Irish over the English nation; and "Balaclava" was the nickname of Finlay. He was a pensioner, he was very well known in the district, and popular among the people to whom he was known. I wish to call attention to a speech of Father Egan, Catholic curate, of Woodford, on December 6, 1885,

at Ballingar, county Galway. There were several other persons present at this meeting, but I am not sure I can give the names at present. I call attention to this passage in Father Egan's speech :—

“ Our people have been exterminated. Mr. Chamberlain told us the other day we were only four millions; but beyond the Atlantic wave, in far distant Australia and in the hearts of the manufacturing towns of England, our Irish brothers live. They are true sons, and they are in sympathy in heart and soul with us if we strike for Ireland, and thank God we have a base of operations outside the reach of English law. That was the spirit of the old Land League, it is a greater strength of the National League, and I believe myself that with the spirit that is in our people here and abroad it is but a short outlook until we see the sunburst of green Ireland shooting forth in all its glory; and if any miserable clique, a few individuals—a hundred or two, as we see by the elections—think they can stand in the way of a nation's progress we will tell them to get out of the way or be crushed to the earth.”

My Lords, there are two or three speeches in the year 1886 I desire to refer to. It is important that I should call attention to a speech of the famous Mr. Tully on March 14, 1886. He was the man who got the name of “ Dr.” He was a working man who on repeated occasions recommended to the people of Ireland his “ pills ”; indicating that he had pills which he kept in a bottle, and that whenever they were administered his patients never required any more medicine of any sort or kind. He was called Dr. Tully. He made a speech at Tynagh, county Galway. He was constantly speaking on those occasions with Mr. Matthew Harris. He spoke on March 14, 1886, and said :—

“ I will first commence with landlordism; the landlord of this soil is not now alive, and where is he now? The note-taker cannot tell. We fought a battle there in Woodford, honourable in the broad daylight. Well, talking about landlords' minions and tools, no surrender to a tyrannical landlord, or to Tom, Dick, and Harry. My heart is beating now to do away with landlordism. I stand here to-day—I am paid for standing here to-day, though I am a doctor too.”

I think your Lordships will have no doubt about who paid Dr. Tully.

" 'I have my diploma here in my hand. I tell you about this Tommy, what is he doing, prowling about the country? They will do anything that Tommy tells them. When you did not bring turnips he will say, "I want my rent." There is another man, Clarke, that despotical despot. How dare he, Clarke, the despotical despot, come here? I dare that man to come forward. Is there any man here to support him? He was a friend of mine once, but I found him out. I challenge any man to vote for him—I dare any man in the National League to vote for him, and if he does, so help my God I will use my medicine on him and I will use it. I did not give it to any man here yet. If ye want to give him a dose apply to me, and I will give him a cure. The M'Donaghs grabbed that farm there in Drimna, they sheriffed out my sister; I challenge them to surrender that farm now at once.' The chairman here interfered, and objected to the speaker's remarks, as he said he would be responsible, as did also Tim Clarke, who told Tully to go away. Tully said that he would not go, that he would be responsible himself. Tim Clarke then asked him to withdraw the expression, which Tully said 'I will withdraw it. I call upon the tradesmen, smiths, and carpenters not to speak to him. You can use the medicine that I will give you—any man can use it—a boy can use it. If a mild dose does not do, give it to him strong, and if he dies in a field bury him there. I am standing as a soldier here to-day, and I did not care if my head was blown off. I call for a show of hands for Cunningham. I see some of them not putting up their hands. Take a note of them. I promise whoever I give my medicine to, he must give me a guarantee that he will use my medicine on the proper men. I tell you my medicine made policemen walk through bogs and mountains. Don't allow any man in this parish to vote for that despot.' "

I suppose it may be suggested by those who either were present or who knew of speeches of this kind being delivered that such speeches were so exaggerated that they had no effect. I do not think the history of Ireland will support such a suggestion as that.

SIR C. RUSSELL.—Who was the chairman ?

THE ATTORNEY-GENERAL.—I will try to find out and will let you know. My Lords, there was also a meeting held in Portumna on September 26, 1886, at which Francis Sully, Matthew Harris, James Lynam, John Roche, and Thomas Burke were present. I put in the speeches made on that occasion by Matthew Harris and Lynam, but I do not wish to read them at present. Now, my Lords, I will read to you a speech of Mr. John Dillon's at Loughrea on October 16, 1886. He said :—

“ The whole secret of the power of the people lay in the fact that an evicted farm must not be touched, and whenever it is touched it is the duty of the people to bring to bear upon the individual who is traitor enough to touch it the influence of the public opinion of his neighbours to make him feel so long as he betrays his people he will be detested by every honest man. Let the soil of Ireland be owned by men who live in Ireland, the men who love Ireland and desire to see their country free. When they have brought about this state of things, when they have put the landlords down, these wretches who have trampled upon every effort in the past—when we have put them down, then I say that Irish liberty will be won, and it will be for the Irish people to say what amount of liberty they want.”

On October 19, 1886, there was a meeting at Cappacon, county Galway, at which Mr. Sheehy, M.P., was present, and the famous Dr. Tully spoke. With reference to the suggestion that any of those gentlemen charged in the particulars knew nothing of the kind of language he was using, I would ask your Lordships to let me read Tully's speech made in the presence of Mr. Sheehy. He “ declared to God he hated landlordism and their tools. Does blind Lewis and Downey call to your houses now ? Cut off Lewis's supplies and cut off Downey ; and if any man at this meeting breaks through the resolutions passed here to-night, I will give him a dose of my medicine, and if the usual dose given does not do I will make it stronger ; and if that does not do, I will give him pills as hard as ever he got in his life.” Mr. Sheehy also spoke, and I put in his speech. On November 21, 1886, at Kylebeg, county Galway, David Sheehy, M.P., said :—“ He could not congratulate the people on their adherence to the League

principles, seeing that they permitted a grabber to move among them for five years. He believed that if there was a proper spirit this grabber would have been long since brought to his knees. It was evident the people had not made it hot enough for him." I shall call your Lordships' attention, or evidence will be given in reference to what happened to a man named Kennedy. Kylebeg, where the meeting was held, was close to his farm, and shortly afterwards he was summoned to appear before the Land League, and proceedings taken against him because he was supposed to have lived among them five years as a land-grabber. Mr. Sheehy made a speech on the same day at Killimore, which I will put in without reading. Then I will call attention, my Lords, to a speech of Mr. Matthew Harris on December 19, 1886, at Aughrim, in county Galway. I need not read it, but will put it in on the note. The one passage to which I refer is that he alluded to land-grabbing as "the greatest curse in the world," and said, further, that "it is such a curse that the man who commits himself on the supposition that he is not committing land-grabbing, and being accused of it, he has to go before the branch and clear himself, and do whatever they desire him to do." My Lords, will it be suggested after that, that those speeches were not made in connexion with the Land League? There is a distinct statement that he has to go before the branch and clear himself and do whatever they desire him to do. Mr. David Sheehy, at the same meeting, made a speech of which I will put in a copy. Father Coen, parish priest, was present, and it is very important there to notice that Mr. Sheehy said he repeated every word he said at Kylebeg; and, with reference to the case of the man Kennedy, he asked the people never to drop the curtain on that subject until Kylebeg was in possession of the rightful owner of that little farm, and that rightful owner was not Kennedy but Mrs. Dempsey.

At this point the Commissioners adjourned for luncheon. On their return,

The ATTORNEY-GENERAL, resuming, said:—It is only necessary, my Lords, for me to call attention to, I think, three outrages; but a considerable number took place in the areas with which I am now dealing. My object is to direct my learned friends' minds to them, and also to show to your Lordships how we

propose to connect the outrage directly with the speech of Dr. Tully—the speech made in the presence of other members of the Land League, in which the mode of treating obnoxious persons was referred to. Your Lordships will remember a speech in which it was stated the Irish people had their Fontenoy and the landlords their Balaclava. Patrick Finlay, who was known by the nickname of “Balaclava,” owing, I suppose, to the fact of his having been present at that battle, was a man who, although a process-server, had lived for, I think, some 20 years in the village of Woodford, and had been on friendly terms with the persons among whom he dwelt. He was a pensioner, and simply used to supplement what little living he had by serving process of law; and I hope it will be a long time before it ought to or can be seriously suggested that simply carrying out the process of law should subject a man to such peril as this unfortunate man was subjected to. John Roche made a speech, to which I have already referred. Shortly after that time Tully was in gaol. The meeting at which that speech was made having taken place towards the end of December, on December 26, 1885, Finlay’s windows were broken, but no harm was done to him. On December 27 another meeting of the National League took place, at which short speeches were made. Father Egan, I think the parish priest, Father Fahy, and John Roche—the same man to whose speech I have referred—were present. Roche said:—“Our doctor is in gaol; but we have a receipt for more powerful medicine, one dose of which, if properly administered, is stronger than ten of the doctor’s bottles.” Father Fahy and Father Egan both spoke, and told the people not to recognize persons who supported emergency men or police, and to stand together determinedly. In the month of February Finlay was under police protection, for he had been previously boycotted for about a year. On March 3, 1886, he was not engaged in serving process, but went out without the police to get some timber from a wood near his house. He was there shot dead, his jawbone being broken by a bullet, and several pellet wounds were in his body. The person from whom a coffin could ordinarily have been obtained was Carey, the secretary of the National League, and he and other persons connected with the League, refused to supply the

materials for the coffin. His widow was also boycotted, and no one would give her food or fire. I will ask your Lordships to consider if outrages followed from less violent speeches, what was likely to occur after such a speech as that I have referred to? In the month of May in the same year William Conway cut some turf for Sir Henry Bourke. In a few days the National League at Woodford issued a notice to the people not to take grass land and not to cut turf for any landlord. On May 15, the whole of Conway's stock, pigs, goats, geese, and fowl, and his outhouses were burnt. There are, besides, several other cases in Galway from which we shall ask your Lordships to infer that during 1885 and 1886 there was a continuation of the same incitements as I have referred to in connexion with the years 1881 and 1882, followed by the same results. Now I turn to the last county to which it is necessary to call attention in the same way. If I were to go through all the outrages in this county the list would be found to be an exceedingly long one. But by picking out five or six typical cases I think I shall be able to show that the advice of Mr. Dillon, that the men of Kerry should do as they had done before, and that other counties should follow the example of those in Kerry and thereby put an end to the landlord system, was not forgotten. There was a meeting at Killarney on August 30, 1885. Mr. J. D. Sheehan said "the programme before the country was independence for Ireland; all other issues had been thrown away; they would proclaim themselves free and fight for it if necessary. Where the people are rack-rented let them come to our branch meetings, and we'll tell them what to do." Mr. T. M. Healy, M.P., spoke "against landlordism and land-grabbing, and condemned those who had taken grass lands in Lord Kenmare's demesne. In no part of Ireland was landlordism so odious as in Kerry. We will expedite the departure of vultures and harpies from this district. While you are secure in your holdings, so long as you pay your rent, our object is that you should be secure in your holdings without having to pay any rent. My experience of the Land League times is that the rich farmers are to be distrusted. They sneaked into the office, and paid behind backs. Now my advice to you would be if you enter into a combination to take proper pre-

cautions that no man breaks the line. Bank your rents in the name of trustees, and say, we will demand a reduction, and stand by it." He condemned outrages, though not unequivocally, and pointed out "that instead of resorting to outrages they could resort to boycotting. The people in their struggle for independence had behind them the momentum and force of the great land movement."

The following three resolutions were proposed :—(1) National independence ; (2) No farmer to make use of the Land Purchase Act, except with the approval of his branch of the Land League ; (3) Condemnation and utter abhorrence of land-grabbing. Your Lordships are supposed to take judicial notice of the fact that an Act was passed in 1885, known as Lord Ashbourne's Land Purchase Act, under which a tenant is enabled by the State to purchase the land which he occupies on very favourable terms, the purchase-money being repaid by instalments spread over 49 years. I ask you to observe the extent to which it was thought desirable that the organization should interfere with the execution of a scheme of legislation which was highly beneficial to the tenants of Ireland. No one who has watched the working of the Act can have any doubt that from the point of view of the tenant it is exceedingly beneficial. But it would not serve the purposes of the National League that the Act should be worked, and accordingly it was determined that, except with the approval of a branch of the League, no one ought to make use of the clauses of the measure. I submit that that showed as clearly as anything could that it was the intention of those who were advocating and taking part in this conspiracy that nothing should be done which might bring benefit to the tenant unless it furthered the great object of sweeping away the landlords, obtaining the land rent-free, and establishing national independence. Mr. W. O'Brien, M.P., at the same meeting said:—

"The Irish people were not afraid to be extreme in the days of Earl Spencer and the Crimes Act, in the days when to be extreme involved execution, and the prison, and the plank-bed, and so forth. We were not afraid to be extreme then, and we are not ashamed to be moderate now, when it would be quite safe to be extreme. Mr. Parnell will give them such war as 80 guerillas can carry on in the heart of that English

Parliament, and such war as the Irish people are able to carry on outside that Parliament with the weapon of the franchise, of what they call the boycotting pike, or with any other weapon that time or opportunity may offer us (cheers), or those who may act for us, for it will be carried on until the fabric of Irish freedom shall rise side by side with that of England, or on the ruins of England's greatness and her empire. (Cheers.) The English people in politics are the merest pack of fools, for they will do as they are told to do. We need not care for the gabble of English Liberal spouters."

At Kenmare, on September 20, Mr. J. D. O'Sullivan said "that outrages, at least some of them, were a disgrace and should be condemned. Land-grabbing was as bad as moonlighting." That, my Lords, I suppose, is an illustration of the mode in which outrages were condemned. Mr. E. Harrington said "that it would be their own fault if the land-grabber or the vile emergency man showed his head among them. He did not counsel any act of indiscretion; there were a thousand ways in which they could make these vile wretches feel their position." On September 29, at Tralee, Michael Davitt unveiled a memorial cross to Allen, Larkin, and O'Brien, which, he said, was typical of faith and fatherland. "Allen, Larkin, and O'Brien had proudly died and offered up their lives as sacrifices on the altar of Irish freedom. They had been foully struck down and done to death by England's Government. I know that neither of these men fired that shot. I have several times spoken in America to the man who fired it." Mr. Davitt does not seem to have done anything to bring this criminal to justice. "This fact was known to the English Government of the day; but these men were immolated in order to satiate English vengeance against Irish independence. Our vigil will be patient and watchful, and the day will come when not only the butchery in Manchester will be avenged, but the social crimes committed against the Irish people will also be avenged. If you or I might be called on to-morrow, or five years hence, to follow the example of Allen, Larkin, and O'Brien, it is our holy duty to emulate them and prove, if necessary, that death alone will be welcome to you in the cause of Irish liberty." My Lords, I do not think a more monstrous statement could be made by a constitutional agitator than that the

Government that allowed these criminals to be hanged knew that they were not guilty. On January 6, 1886, a meeting was held at Knocknagoshill. The Rev. Mr. Casey, P.P., said "he attended to denounce land-grabbers as the curse of the country. They should be passed by on the streets with scorn and contempt, and no person should speak to or look at them. He advised them to pay no rent, except a fair rent, which this year he believed to be no rent." He denounced outrages. The reporter says that nearly all the speakers at this meeting denounced the commission of outrage; but, with the exception of Father Casey, they qualified their denunciation by adding the words "at present." I call attention, my Lords, to the fact that, in this speech, side by side with the denunciation of outrages, there is a denunciation of land-grabbers. Mr. E. Harrington, M.P., who also spoke, recommended "that land-grabbers or grass-grabbers, or persons who cut rushes on evicted farms, should be shunned. Those people who cut rushes on such farms should know that that was grabbing; that those rushes pointed their tapering heads to Heaven, as if to invoke vengeance on the man who grabbed them off evicted farms. Do not commit any outrages, as at the *present time* they only injure the best interests of the country, and strengthen the hands of our enemies." Observe that there is not here one word of denunciation against outrages on the ground that they are in themselves wicked and wrong. Mr. J. D. Sheehan, M.P., asked the people "to use to the best advantage boycotting—that powerful instrument which they possessed against the land and grass grabber. He knew that there were plenty of people about the locality who had received processes for rent, and warned them against going behind their neighbours' backs to pay their rents. Any such man should be treated as a grabber. They heard a lot about fair rent, but he considered a fair rent to be no rent." He also spoke against the commission of outrages, as at present, when the goal was so nearly reached, they might injure the cause. Dr. Moriarty, of Listowel, said that he was intimately acquainted with all the great Nationalists of England, Scotland, and America, and was an ardent follower of that great man James Stephens (he was the Fenian Head Centre), and would always remain a follower of his. He said:—"We are not at present able or prepared to use force. but

England knows that if we were the Irish race all the world over would take part in the fight for freedom. And let England beware, for the sword of vengeance is hanging over her head, and when it falls Irishmen will be found in their places, and theirs will be the hands that will cause the fall. The grabber should be boycotted. If he be sick, go for the priest ; but let no person go for a doctor, as such people are not worthy of being kept alive. Don't go to his funeral ; let him have no funeral ; let him ' go down to the vile dust from where he sprung, unwept, unhonoured, and unsung.' His wife may go to his grave and fire a pop-gun over him if she likes." Mr. P. O'Sullivan, president of the Knocknagoshill branch of the Land League, said " he would be glad to see all the landlords buried six feet under ground, and would like to see them all in ' Fiddlers'-green, seven miles below the ' hot place.' " Mr. J. Stack, M.P., said " he was going into the British Parliament House a sworn enemy of the Sandes, the Herberts, the Husseys, the Headleys, and Kenmares, and would not rest until he saw the total extinction of landlordism." Now, I shall make a few observations upon some of the outrages that occurred in Kerry, which county, according to so many speakers, deserved the palm for the way in which the inhabitants treated land-grabbers, the followers of the League having taken well to heart the advice given in a speech which I shall put in :— " The landlord is too well protected. Do not mind him. Shoot the land-grabber instead." The first case to which I shall call attention is that of Michael Moriarty. In the autumn of 1884 he sent some cattle to graze upon a farm from which a man had been evicted, and, as far as my information goes, his only crime was that he had sent his cattle to graze upon this unoccupied land near Killorglin. His offence was not discovered for some time, but ultimately it was, and on March 5, 1885, he was shot at, and the bullet passed through his clothes. The outrage was committed at about a quarter past 8 in the evening. On December 7, 1885, William Williams, a farmer, was shot at. He resided on the property of Mr. Orpen, at Brewsterfield, Killarney. Mr. Orpen, who had been exceedingly popular among his tenants, had a dispute with one of their number in March, 1884. The tenant was evicted, and after the eviction the local branch

of the National League endeavoured to annoy Mr. Orpen by boycotting and intimidation. Williams worked on the evicted farm for Mr. Orpen, and on December 7 a party of 15 or 20 men went to his house, broke in the door with large stones, and forced their way into his room. Williams called out that if they did not go he would fire upon them. They then shot at him through the windows of the house, and a quantity of shot lodged in the head of the bed near which he was standing. He was injured by some grains of shot, which glanced off his head. As the men were going away he fired his revolver at them. The sole reason for the outrage was that he had worked on this evicted farm for Mr. Orpen. On January 30, 1886, an outrage was committed upon Giles Rae, an old man 72 years of age. Rae, who had only one arm, had been a process server at Killiney. In the month of October, 1885, Rae was mobbed, and on January 26 he served another writ. On the 30th five moonlighters entered Rae's kitchen, and in the presence of his wife seized the old man, and with some sharp instrument like a razor sliced off one of his ears. It was some hours before any one heard of the outrage, the wife being too ill and terrified to give an alarm. I believe it will be proved that the only cause for this brutal outrage was that the unfortunate man had served a writ in respect of some demand for rent. On May 6, 1886, Cornelius Kearney was fired at at half-past 10. The shock made him seriously ill, and he died not long afterwards. He had refused to join either the Land League or the National League, and had been warned in the autumn not to send his horse to a particular blacksmith or his cow to an obnoxious individual who possessed a bull. Now, I wish to call attention to the case of a man named O'Connor, who evicted a tenant and went to live upon the land himself. This was not a case of preventing a landlord from letting his land, but of actually preventing him from occupying it. On June 6, 1886, a man in his employment was warned not to work for Mr. O'Connor, and was shot at. Other men were also warned not to work for him. After the occurrence on the 6th of June O'Connor made his peace with the local branch of the Land League, and this was described as "establishing the Land League in the district." There were reports of the circum-

stances in the *Kerry Weekly Reporter* and other local newspapers, which described O'Connor's offence as an offence against the resolutions of the local branch of the League. In the same year a poor man, John Conway, of Kilgulbin, cut some turf, and, this act being viewed with displeasure, he was shot in the right knee. Sorely wounded as he was, he went to the Land League offices, asked for forgiveness, and promised not to offend any more. I think, my Lords, we shall produce the resolutions of the branch of the League in that case, and the report of the discussion which took place as to whether this man was to be forgiven or not for his supposed offences against the League. These, my Lords, will be all fair specimens of the things which took place in the National League. John Conway appeared before the meeting, on being communicated with by the secretary of the Abbey-dorney branch of the Irish National League. The meeting of the Abbey-dorney branch is reported in the *Kerry Weekly Reporter* of the 7th of August, 1886 :—

“ Irish National League meeting, 1st of August, 1886. Abbey-dorney branch. John Bunyan, P.L.G., in the chair. John Conway appeared before the meeting, on being communicated with by the secretary, to answer a charge preferred against him a month since. It appears Conway cut turf in a bog at Ardahan, to which he had no especial right ; that the farmers whose farms surround this bog had the privilege of grazing their cattle thereon, which privilege has become a right through lapse of time ; that any of these farmers have not cut turf in the bog on this year, but their right might have been weakened thereby, but Conway cut the turf against the expressed wish of his surrounding neighbours, who were of opinion that Conway's action amounted to an invasion of their right. As Conway had been fired at recently, the decision come to was that the League, in order to show its abhorrence of outrage, would exculpate Conway, but requested him to forego any interference in the future with the Ardahan side of the bog, and also with the Baltovin side, until his father's right would devolve on him, to which Conway assented. The greatest sympathy was manifested by those present towards the unfortunate man, as he was scarcely able to move with the aid of a walking-stick on account

of the bullet wound he had received in the leg from the party that visited him."

Your Lordships will find that that gentleman was summoned first, did not appear, and then he was shot, and then he did appear. On the 3d of June, 1886, there is the case of Patrick Tanguay. He was a bog ranger on the property of Mr. Richard Going. He was at one time a member of the National League. There was some suspicion suggested that he had obtained turf from persons who had no right to it, and on the 3d of June, 1886, two men armed came to his house, and on asking him whether he was still continuing to work for his landlord, he said, "Not since October last." They shot him, and he received a charge of shot in his legs, which caused a large wound, from which he bled to death in a very few minutes. My Lords, so far as I understand, the only offence which that poor man was said to be guilty of was that he had, on behalf of his landlord, been party to some persons cutting turf against the views of those people who had determined that only those who had previously been tenants should have any turf from the property at all. In the year 1886 Arthur Gloster was bailiff to Lord Kenmare. On the 7th of June, 1886, at 1 45 a.m., a quantity of dynamite was exploded in the attempt to blow up Gloster's house. The people attempted to find out who had been taking part in the outrage, and found a loaded rifle and a six-chambered revolver. I shall have some evidence to put before your Lordships as to where that rifle and revolver came from, and possibly something in reference to the dynamite as well. My Lords, there was a series of outrages in this year, a great many of them connected simply and solely, as far as one can judge, with the occupation of land, for taking care of it, or cutting turf, or doing something perfectly harmless in itself, but regarded by those in the neighbourhood and belonging to the League as land-grabbing. And in many of these instances your Lordships will have evidence of the persons going before the League, or being summoned by the League, or receiving notices from the branches of the League in the immediate district. I mentioned that in several of these cases persons were brought up before the local branches of the League. I ought to call your attention, my Lords, to the case of Fitzmaurice, certainly one of the most brutal murders that has ever

taken place—James Fitzmaurice, farmer, 60 years of age, who was killed on January 31, 1888. Your Lordships will have evidence of the attempt to boycott Fitzmaurice, to persecute him so as to make his life intolerable for a period of something like two years or two and a half years, and you will have evidence before you that the intimidation, cruelty, and ultimate murder of Fitzmaurice was in consequence of the direct action of the Lixnaw branch of the National League. It will be said that that branch of the National League was suppressed before the action taken in the murder. It is perfectly true in one sense that it was suppressed; but, as I said to your Lordships in the course of my speech a few days ago, a thing of this kind is not suppressed in a moment. But the treatment which Fitzmaurice received commenced much further back than 1888, and my instructions are that the National League of Lixnaw contributed to a very great extent by its action to the outrage which occurred. When I said suppressed, I meant that under the Coercion Act of 1887 certain branches of the National League were suppressed; and I think it will be found that statements were made that it could not possibly be that the National League of Lixnaw had anything to do with the murder, because it had been suppressed some five or six weeks. I shall be able to show before your Lordships special resolutions extending much further back. James Fitzmaurice was said to have helped Mr. Hussey over a ditch. Mr. Hussey was a landlord and an agent, and Fitzmaurice was said to have helped him over a ditch. In consequence of that the following resolution appeared in the *Kerry Weekly Reporter* of the Lixnaw branch of the Irish National League:—"Resolved—That, as James Fitzmaurice acted the part of a special constable to S. M. Hussey at Ahabeg on the 14th inst., we consider that his neighbours should hold no further intercourse with him." There had been very good organization in Kerry; they perfectly understood, they did not want any mystic signs or any secret passes or words, they perfectly well understood what their duty was. After that notice Fitzmaurice was boycotted—not at first rigidly, but boycotted. In June, 1887, he was summoned to appear before the Lixnaw branch of the National League. He had allowed his cattle, it appears, to graze upon a farm from which his own

brother had been evicted. You would think that was not a very wicked thing, to allow your cattle to run on waste land from which a member of your family had been turned out. Thereupon the Lixnaw branch of the National League resolved—"That, as James Fitzmaurice, of Ahabeg, still persists in allowing his cattle to graze on the farm from which his brother Edmond was recently evicted, and refuses to give any explanation to the League in extenuation of his conduct, we hereby call on the public to mark him as a land-grabber of the most inhuman type." This is the direction that is given to the well-organized county; this the county whose example is to be imitated! According to Mr. John Dillon, the boys of Longford were to do as well as the boys of Kerry had done. I suppose it will be suggested that because the League was suppressed in the county of Kerry in September, 1887, that therefore the resolutions of June, 1887, had no effect. Gentlemen who use these arguments, or anybody who represents these arguments before your Lordships will, I think, require something stronger than mere assertion to suggest that an organization which had been promoting outrages in the county of Kerry for five or six years could be suppressed and rendered perfectly harmless in a few hours or a few weeks. On the 23d of October, 1887, the National League again passed a resolution. They "called upon the public to mark, by every constitutional means, their disapprobation of the conduct of James Fitzmaurice, who has been so base and inhuman as to grab his brother's land"—being this, that he had let his cattle graze upon the land from which his brother had been evicted. That was in October, 1887. In 1888—the actual date, I think, was the 31st of January, 1888—Fitzmaurice was shot while he was driving with his daughter in his cart at about 5 30 in the morning. His daughter was with him. He never spoke, I believe, beyond the statement that he was shot—he never spoke again. Practically no assistance appears to have been rendered by persons who would have helped the poor girl, for fear of the consequences—there were several who passed and dared not render her any assistance. Your Lordships will find that an inquiry took place on that murder, when persons were charged for that murder. Communications passed between the persons charged and members of

the National League. I believe your Lordships will have no doubt whatever that these prisoners were defended—the people who shot Mr. Fitzmaurice—by the money of the National League. I believe I shall be able to lay evidence before you that the National League provided the funds with which the murderers of that man were defended. The persons charged were convicted and hanged. My Lords, this is not a solitary instance by any means of persons who were undoubtedly guilty being singled out by the National League for defence by the League, which, according to Mr. Parnell and his followers, is devoted to carrying out a perfectly constitutional and lawful agitation. I must remind your Lordships that years before it had been promised in a speech that for anybody charged with shooting a landlord money would be found to defend him. Everything would be done in favour of a person who was charged with shooting a landlord. Well, my Lords, even the bare outline of the story with regard to outrages in these counties is ghastly enough. Before our evidence closes I shall lay before your Lordships instances of speeches and accompanying and consequential outrages which occurred in the various counties. But I am sure you will not forget that one of the strongest arguments I can venture to address to your Lordships is one of a negative character. It is this—you find started in Ireland for the first time a system of crime which, both from its frequency, the character of the crimes, and the circumstances under which the crimes were committed, was absolutely new. You find that crime was committed against persons who had never before suffered from similar outrages. I believe that what I said yesterday will be fully confirmed by the witnesses, that the crime of shooting a man for paying his rent was unheard of before 1880, and that after that time such outrages can be numbered literally by the hundred. I shall ask your Lordships to consider if you find that all these speeches were made and this organization existed, I shall ask your Lordships to come to the conclusion that, unless some other cause for the outrages can be found, you will attribute them to these speeches, to these violent speeches, as these crimes were to a great extent perpetrated by the persons to whom these appeals to their self-interest and to motives of personal aggrandizement were made. Again, it is a negative argument

that you will not find throughout the whole course of these years one single speech delivered, one single circular issued, one single letter written, or one single step taken by Mr. Farnell, by Mr. Biggar, by Mr. Davitt, by Mr. O'Brien, by Mr. Harrington, or by any one of the rest of these gentlemen to point out that somebody was carrying out these outrages, and that they ought to determine that they should be put down. On the contrary, during the whole of these years they were absolutely silent, or so far as they did take part they were actually encouraging similar outrages. It was an organized conspiracy, it was a conspiracy which by means of striking at the tenants would do injury to the landlords, and that being done, the result of that would be that the main prop of English rule in Ireland would be destroyed. I shall therefore ask your Lordships to come to the conclusion, if I establish what I have opened to your Lordships, that the organization or conspiracy was conducted from America, that its policy was formulated in America, that it drew the whole of its financial strength from America, and that it was not possible for the leaders of either the National League or of the Land League to break free from the fetters which bound them to the American section, which fetters compelled them and kept them in the course whereby they were of necessity obliged to advocate a system which must be productive of the outrages if it was to be effectual at all. And if it be said that the National League was disconnected from the Land League, that there was a completely new departure in the sense of the National League not pursuing the same means and the same line of policy, I again point to the facts given publicly and distinctly in 1882 and 1883 as to what were the consequences of the conduct that was followed by the Land League; and I call your Lordships' attention to the fact that the same line of conduct was pursued by the National League that was followed by the Land League. I am aware that I have occupied a very considerable portion of your Lordships' time in opening this case. I am afraid I have done little more than indicate a mere outline of the particular classes of evidence which will have to be considered by your Lordships. In all probability there will be called before your Lordships before this inquiry ends persons who actually took part in some of these outrages, who will tell your Lordships not only the

kind of way in which the money was paid, but the kind of method which was on foot for arranging for the perpetration of some of these outrages. I am well aware that in this case there may be great difficulty with witnesses of a certain class. Of course in many instances the evidence of such witnesses must be regarded with great suspicion, and subjected to most careful examination before it is credited. But, on the other hand, your Lordships have the powers, as Commissioners, having regard to the terms of this Act, of getting at the truth to an extent and in a way in which an ordinary tribunal would possibly have been powerless; and I think your Lordships will find before the end of this inquiry, if you have disclosed to your Lordships any channel through which the truth—I will not say the truth, but information—can be given which will enable your Lordships to get at the truth, your Lordships' powers will be ample to enable you to search this case to the bottom and leave no doubt as to what was the real cause of this horrible system which has prevailed, and as to who are the persons on whom the responsibility ought to rest. It is manifestly not right that I should do anything more at the present stage with that part of the case than indicate to your Lordships that in all probability evidence will be forthcoming, and your Lordships will be able to consider whether or not the action of these persons was so absolutely free from suspicion that their organization, conspiracy, and League had nothing to do with these terrible crimes. To a very large extent I shall bring knowledge home to all the members who have been charged, all the main leaders, such as Mr. Parnell, Mr. Biggar, Mr. Harrington, Mr. Matthew Harris, Mr. O'Brien, and Mr. Dillon. There will be no doubt in your Lordships' minds, if I establish the case I have opened, that knowledge of what had been the result of the action of the Land League was brought home to them. But I have said more than once, and I respectfully repeat, that I do not think at the end of this inquiry your Lordships will be able to come to the conclusion that all this was done without the knowledge of these gentlemen, who may profess not to have been personally acquainted with what the Land League and the National League were doing. They were the heads of this organization, they were the officers of this conspiracy, and it will be for your Lordships to consider, after

these witnesses have been submitted to the test of cross-examination, whether you can possibly adopt the view that these gentlemen were the innocent victims of a system intended to be harmless, intended to have neither unlawful purposes nor unlawful means, and by the folly, the wickedness, and the treachery of some of its subordinates were dragged into the system which I have been condemning as strongly as I could in the course of my address. In connexion with this, I cannot help reminding your Lordships of the extraordinary fact that but one gentleman speaks to any documents belonging to the Land League ever having been in his possession, and that is only a bank book. The officers, treasurers, and secretaries have made affidavits as officers of the Land League, and have sworn that they never had in their possession any books or papers relating to the Land League. If these books never did exist, I ask your Lordships to draw your own conclusions as to why they did not exist, and if they did exist and have been got out of the way, I shall ask your Lordships to draw your own conclusions why they are not forthcoming now. The same remark applies to the money. In the course of the inquiry your Lordships will sooner or later search out and be able to form a pretty good judgment as to what became of the balance of £144,000 acknowledged to have been received by the Land League, as to what has become of the very large sums of money acknowledged to have been received by the National League. I cannot help thinking that if this League can bear the light of day and criticism, if it be connected with no crime, tainted with no outrage, if it was solely to be conducted by constitutional methods, we should learn what were the doings, the course of business, the practice and purpose of the Land League, and what has been done with the money and the books. Of course, my Lords, *The Times* may have been misled or mistaken in the judgment which it formed of the history of the associations to which it referred; but if it shows a cause and shows an effect, and if your Lordships shall be of opinion that from that cause that effect has been shown to have sprung—that the effect followed the cause—the case of *The Times* will be established. If, on the other hand, my learned friends' reply shows that there was some organization, some secret conspiracy, for which the leaders for whom they appear

were not responsible, I admit it may be possible to answer the case of *The Times*. I can only regret that it has been necessary for me to occupy so much of your time, but it was not possible to give a description of the case of *The Times* without making a full and complete statement. There is nobody more alive than I am to the imperfections in my statement, or to the certainty that it will be said afterwards that I did not call attention to certain portions of the evidence. All I can say is this, that I hope hereafter to be able to render assistance in getting at what is the only object of this inquiry, and whatever my learned friend Sir Charles Russell may say or think, the only object of *The Times* in appearing before your Lordships is that of investigating the whole matter and eliciting what is the truth as to these charges and allegations.

SIR C. RUSSELL.—It would be convenient, my Lords, if my learned friend would give us some indication of the course he proposes to pursue with regard to the evidence.

THE ATTORNEY-GENERAL.—I am sure I wish to give my friend every assistance, but it would be impossible to indicate that now. Mr. Soames will communicate to Sir Charles Russell's client to-morrow morning, as nearly as possible, what the course of the evidence will be. I can only say that I will give every information I can in ample time to Sir Charles Russell and his clients. I should like, before your Lordships adjourn, to mention that Monday is the day on which the Hibernian Bank are ordered to appear and produce their books. As your Lordships will not sit on Monday, the order will, I suppose, stand for Tuesday.

THE PRESIDENT assented.

THE ATTORNEY-GENERAL.—May I also mention a matter which does not actually concern my learned friends? There are several files of a newspaper which come from the British Museum. They have to be brought here at 11 o'clock and taken away again at 4. The officials of the Museum are not in the least anxious to have them carried backwards and forwards every day, and we should be glad if they could be kept in some room in this building. The advantage of that

would be that we could have access to them after 4 o'clock.

The PRESIDENT.—Certainly they can be kept here, as many other documents of infinitely greater value are. Have you anything more to say, Mr. Attorney?

The ATTORNEY-GENERAL.—No, my Lord.

Rev. J. M.

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